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MESSAGE

FROM THE

52167

PRESIDENT OF THE UNITED STATES,

IN RESPONSE TO

SENATE RESOLUTION OF JANUARY 8, 1895,

TRANSMITTING

INFORMATION RELATING TO THE ENFORCEMENT OF THE
REGULATIONS RESPECTING

FUR SEALS,

ADOPTED BY THE GOVERNMENTS OF THE UNITED STATES AND GREAT
BRITAIN IN ACCORDANCE WITH THE DECISION OF THE
TRIBUNAL OF ARBITRATION CONVENED AT PARIS,

WITH

OTHER INFORMATION CALLED FOR BY SAID RESOLUTION.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1895.

53D CONGRESS, 3d Session. | SENATE. | Ex. Doc. No. 67.

No. 1154

IN THE SENATE OF THE UNITED STATES.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

IN RESPONSE TO

Senate resolution of January 8, 1895, transmitting information relating to the enforcement of the regulations respecting fur seals, adopted by the Governments of the United States and Great Britain in accordance with the decision of the Tribunal of Arbitration convened at Paris, with other information called for by said resolution.

FEBRUARY 11, 1895.—Read, referred to the Committee on Foreign Relations, and ordered to be printed.

To the Senate:

On the 8th day of January I received a copy of the following Senate resolution:

> *Resolved*, That the President be requested, if not incompatible with the public interests, to communicate to the Senate all reports, documents, and other papers, including logs of vessels, relating to the enforcement of the regulations respecting fur seals adopted by the Governments of the United States and Great Britain in accordance with the decision of the Tribunal of Arbitration convened in Paris and the resolution (regulations?) under which said reports are required to be made, as well as relating to the number of seals taken during the season of 1894, by pelagic hunters and by the lessees of the Pribilof and Commander islands; also, relating to the steps which may have been taken to extend the said regulations to the Asiatic waters of the North Pacific Ocean and Bering Sea, and to secure the concurrence of other nations in said regulations; and further, all papers not heretofore published, including communications of the agent of the United States before said tribunal at Paris, relating to the claims of the British Government on account of the seizure of the sealing vessels in Bering Sea.

In compliance with said request I herewith transmit sundry papers, documents, and reports which have been returned to me by the Secretary of State, the Secretary of the Treasury, and the Secretary of the Navy, to whom said resolution was referred. I am not in possession of any further information touching the various subjects embodied in such resolution.

It will be seen from a letter of the Secretary of the Navy, accompanying the papers and documents sent from his Department, that it is impossible to furnish at this time the complete log books of some of the naval vessels referred to in the resolution; but I venture to express the hope that the reports of the commanders of such vessels herewith submitted will be found to contain in substance so much of the matters recorded in said log books as are important in answering the inquiries addressed to me by the Senate.

GROVER CLEVELAND.

EXECUTIVE MANSION,
February 11, 1895.

To the PRESIDENT:

The Secretary of State, to whom was referred the resolution adopted by the Senate on the 8th ultimo, requesting the President,

> if not incompatible with the public interests, to communicate to the Senate all reports, documents, and other papers, including logs of vessels, relating to the enforcement of the regulations respecting fur seals adopted by the Governments of the United States and Great Britain, in accordance with the decision of the Tribunal of Arbitration convened at Paris, and the resolution (regulations?) under which said reports are required to be made, as well as relating to the number of seals taken during the season of 1894 by pelagic hunters and by the lessees of the Pribilof and Commander islands; also relating to the steps which may have been taken to extend the said regulations to the Asiatic waters of the North Pacific Ocean and Bering Sea, and to secure the concurrence of other nations in said regulations; and further, all papers not heretofore published, including communications of the agent of the United States before said tribunal at Paris, relating to the claims of the British Government on account of the seizure of the sealing vessels in Bering Sea,

has the honor to lay before the President copies of all reports, documents, and other papers found of record in the Department of State relating to the subjects embraced in the resolution.

Respectfully submitted.

W. Q. GRESHAM.

DEPARTMENT OF STATE,
Washington, February 6, 1895.

CORRESPONDENCE OF DEPARTMENT OF STATE.

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3	Mr. Gresham to Mr. Bayard (telegram).	Sept. 12	Relative to immediate adoption of regulations. Concurrent legislation before next sealing season indispensable. If no seals to be killed on land, concurrence of Russia should be had if possible.	9
4	Mr. Bayard to Mr. Gresham.	Sept. 13	Has asked for an interview with secretary of state for foreign affairs to lay before him necessity of proceeding without delay to agree upon the regulations.	10
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117	Mr. Uhl to Sir Julian Pauncefote.	June 8	Incloses copies of an act of Congress approved June 5, 1894, for the execution of the Paris award. Calls attention to the fact that the words "securing the adhesion of such power to the regulations aforesaid," occurring in the sixteenth and seventeenth lines of the bill sent to the embassy on June 2, 1894, do not appear in the approved act.	143
118	Mr. Gresham to Sir Julian Pauncefote.	July 21	Relative to permitting Makah Indians to use their schooners as places of safety while fishing in Bering Sea and waters thereof; incloses letter from Secretary of the Treasury upon the subject.	144
119	Sir Julian Pauncefote to Mr. Gresham.	July 30	Submits list of maritime powers to whom identic note should be addressed inviting their adhesion to Bering Sea regulations.	145
120	Sir Julian Pauncefote to Mr. Gresham.	July 31	Acknowledges note sending copies of letters from Secretaries of the Treasury and of the Interior touching request of Makah Indians to use their schooners as places of refuge while fishing in Bering Sea and waters thereof.	146
121	Sir Julian Pauncefote to Mr. Gresham.	Aug. 1	Incloses copy of an order in council of July 27, providing for special form of license to be granted to sealing vessels in Bering Sea, and describing distinctive flag to be flown by them.	147
122	Mr. Gresham to Sir Julian Pauncefote.	Aug. 6	Approves submitted list of maritime powers to which identic note should be addressed, and suggests August 20 as the date for dispatching the same.	148
123	Mr. Gresham to Sir Julian Pauncefote.	Aug. 16	Refers to proposed convention a settlement of Bering Sea claims; comments as to fourth recital of Article I. of counter draft and proposes signature of convention August 17.	148
124	Mr. Gresham to Mr. Zeballos (identic note).	Aug. 20	Invites adhesion of Argentine Republic to Bering Sea regulations agreed to between the United States and Great Britain. NOTE.—List of countries invited to adhere thereto and their respective replies.	149

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125	Mr. Gresham to Sir Julian Pauncefote.	1894. Aug. 21	Acknowledges note of June 7 last, touching a mixed commission for adjustment claims for compensation for seizure of British sealing vessels on Bering Sea, and offers lump sum of $425,000 in full payment thereof.	156
126	Sir Julian Pauncefote to Mr. Gresham.	Aug. 21	Acknowledges preceding note and says Her Majesty's Government is willing to accept lump sum.	157
127	Mr. Gresham to Sir Julian Pauncefote.	1895. Jan. 23	Transmits official statement of the American pelagic fur-seal catch of 1894, as shown by the records of the custom-houses at San Francisco, Port Townsend, and Astoria.	158
128	Mr. Gresham to Sir Julian Pauncefote.	Jan. 23	Communicates deep feeling of solicitude of the President and people of the United States relative to the future of the Alaskan seal herd, as disclosed by official returns of seals killed at sea during the present season in North Pacific Ocean; gives statistics upon the subject.	160
129	Mr. Foster to Mr. Gresham.	1893. Aug. 17	British claims for damages on account of the seizure of certain vessels in Bering Sea in 1886, 1887, and 1889.	161

No. 1.

Sir Julian Pauncefote to Mr. Gresham.

[Telegram.]

NEWPORT, R. I., *August 22, 1893.*

Lord Rosebery proposes to lay before Parliament at once Bering Sea award. He presumes your Government have no objection. Can I reply in that sense?

No. 2.

Mr. Gresham to Sir Julian Pauncefote.

[Telegram.]

DEPARTMENT OF STATE,
Washington, August 22, 1893.

I see no reason why Bering Sea award should not be laid before Parliament, although we have received no official copy.

No. 3.

Mr. Gresham to Mr. Bayard.

[Telegram.]

WASHINGTON, *September 12, 1893.*

The two powers should, without delay, come to an understanding which will make the regulations found to be necessary by the Paris Tribunal of Arbitration practically effective before the next sealing season.

Concurrent legislation and supplemental regulations seem indispensable. You are instructed to inform the British minister that the United States desire to take the matter up at once with the ambassador here, or in some other way satisfactory to both Governments. Efforts to obtain adhesion of other powers to the regulations should be promptly made. The arbitrators recommend that no fur seal be killed on land or sea for one, two, or three years. If this suggestion is adopted the concurrence of Russia should be had, if possible.

No. 4.

Mr. Bayard to Mr. Gresham.

EMBASSY OF THE UNITED STATES,
London, September 13, 1893. (Received September 21.)

SIR: I avail myself of the mail pouch, which closes to-day, to send you two pamphlets on the Bering Sea question and the award thereon of the tribunal at Paris.

I have written to the secretary of state for foreign affairs asking an interview, in order to lay before him the purport of your instruction in relation to proceeding, without delay, to agree upon the regulations in fur sealing, made necessary to effectuate the award of the arbitrators.

I shall communicate to you as soon as possible the result of the interview with Lord Rosebery on the subject.

I have, etc., T. F. BAYARD.

No. 5.

Mr. Bayard to Mr. Gresham.

EMBASSY OF THE UNITED STATES,
London, September 13, 1893. (Received September 21.)

SIR: Referring to my previous dispatch of this date, I have now the honor to inform you that I have just had an interview with Her Majesty's secretary of state for foreign affairs in which I acquainted him with the purport of your instruction of to-day by cable in relation to the expediency of the two Governments coming at once to an understanding under which the award of the Paris Tribunal of Arbitration upon the Bering Sea questions would be rendered practically effective before the next sealing season.

His Lordship expressed his willingness to act promptly, and also the opinion that the arrangements for that purpose would be wisely made at Washington, and that the British ambassador, Sir Julian Pauncefote, would be eminently qualified to conduct them in behalf of his Government. But Lord Rosebery told me that he was awaiting a note upon the subject of the award from Sir Charles Tupper, high commissioner for Canada, who has just gone hence to Canada, and was, therefore, not prepared to discuss the matter further until he had heard from him.

I suggested the expediency of the two Governments acting promptly, in which his Lordship expressed his full concurrence, and said he would telegraph Sir Charles Tupper this afternoon and acquaint me with the nature of his reply as soon as it was received.

His Lordship concurred also in my suggestion that it would be highly expedient that no intimation of delay or obstruction should be attributable to Canada, and said in substance that there could be none.

I had a long interview with Sir Charles Tupper on the 12th of August on the general subject of Canadian relations with the United States, which I propose to make the subject of a separate dispatch, in which he expressed the strongest desire to strengthen amicable relations between the United States and Canada; so that I apprehend a ready and willing cooperation in the the arrangements suggested by your cable instruction looking to the effective execution of the award of the Paris Tribunal.

I have, etc.,

T. F. BAYARD.

No. 6.

Mr. Gresham to Mr. Bayard.

DEPARTMENT OF STATE,
Washington, September 13, 1893.

SIR: Any benefit that this Government derives from the action of the Paris Tribunal of Arbitration will depend upon the regulations and the willingness of Great Britain to cooperate with us in making them practically effective. Concurrent legislation should be obtained and supplemental rules or orders agreed upon and published before the next sealing season begins. Owners of sealing vessels should know in advance the restriction under which they will have to act.

* * * * * * *

I fear that whatever is done Canadians, and perhaps Americans, will transfer the ownership of their sealing vessels to citizens or subjects of other powers, thus avoiding the effect of the regulations. It remains to be seen whether other powers will now give their adhesion to the regulations. It would seem that the situation calls for both legislation and another treaty, and perhaps you had better sound Lord Rosebery on that point; also, as to how other powers are to be approached for their adhesion to the regulations.

* * * * * * *

I am, etc.,

W. Q. GRESHAM.

No. 7.

Mr. Gresham to Mr. Bayard.

[Telegram.]

WASHINGTON, *September 16, 1893.*

Your familiarity with the Bering Sea controversy, the treaty and award, suggests the propriety of intrusting to you the effort to obtain from Great Britain an agreement for the adoption of appropriate means for carrying into effect the regulations, and the President directs me to instruct you to exert yourself in that behalf. It is earnestly hoped that the British Government realizes the importance of prompt action and that it will speedily come to an understanding upon the subject of concurrent legislation, supplemental regulations, and joint effort for obtaining adhesion of other nations.

No. 8.

Mr. Gresham to Mr. Bayard.

DEPARTMENT OF STATE,
Washington, September 19, 1893.

SIR: Referring to my telegram of the 16th instant instructing you in regard to the framing of regulations and legislation on the part of the United States and Great Britain to govern sealing in Bering Sea, I send you for your further information copies of the final decision of the Tribunal of Arbitration with the recommendations made by the tribunal to the two Governments.

I am, etc.,
W. Q. GRESHAM.

[Inclosure 1 in No. 8.]

[English version.]

Award of the Tribunal of Arbitration constituted under the treaty concluded at Washington, the 29th of February, 1892, between the United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland.

Whereas by a treaty between the United States of America and Great Britain, signed at Washington, February 29, 1892, the ratifications of which by the Governments of the two countries were exchanged at London on May 7, 1892, it was, amongst other things, agreed and concluded that the questions which had arisen between the Government of the United States of America and the Government of Her Britannic Majesty, concerning the jurisdictional rights of the United States in the waters of Bering Sea, and concerning also the preservation of the fur seal in or habitually resorting to the said sea, and the rights of the citizens and subjects of either country as regards the taking of fur seals in or habitually resorting to the said waters, should be submitted to a Tribunal of Arbitration to be composed of seven arbitrators, who should be appointed in the following manner, that is to say: two should be named by the President of the United States; two should be named by Her Britannic Majesty; His Excellency the President of the French Republic should be jointly requested by the high contracting parties to name one; His Majesty the King of Italy should be so requested to name one; His Majesty the King of Sweden and Norway should be so requested to name one; the seven arbitrators to be so named should be jurists of distinguished reputation in their respective countries, and the selecting powers should be requested to choose, if possible, jurists who are acquainted with the English language;

And whereas it was further agreed by Article II of the said treaty that the arbitrators should meet at Paris within twenty days after the delivery of the counter cases mentioned in Article IV, and should proceed impartially and carefully to examine and decide the questions which had been or should be laid before them as in the said treaty provided on the part of the Governments of the United States and of Her Britannic Majesty respectively, and that all questions considered by the tribunal, including the final decision, should be determined by a majority of all the arbitrators;

And whereas by Article VI of the said treaty, it was further provided as follows:

> In deciding the matters submitted to the said arbitrators, it is agreed that the following five points shall be submitted to them in order that their award shall embrace a distinct decision upon each of said five points, to wit:
>
> 1. What exclusive jurisdiction in the sea now known as the Bering Sea, and what exclusive rights in the seal fisheries therein, did Russia assert and exercise prior and up to the time of the cession of Alaska to the United States?
>
> 2. How far were these claims of jurisdiction as to the seal fisheries recognized and conceded by Great Britain?
>
> 3. Was the body of water now known as the Bering Sea included in the phrase Pacific Ocean, as used in the treaty of 1825 between Great Britain and Russia; and what rights, if any, in the Bering Sea were held and exclusively exercised by Russia after said treaty?
>
> 4. Did not all the rights of Russia as to jurisdiction and as to the seal fisheries in Bering Sea east of the water boundary, in the treaty between the United States and Russia, of the 30th of March, 1867, pass unimpaired to the United States under that treaty?
>
> 5. Has the United States any right, and if so, what right of protection or property in the fur seals frequenting the islands of the United States in Bering Sea when such seals are found outside the ordinary three-mile limit?

And whereas, by Article VII of the said treaty, it was further agreed as follows:

> If the determination of the foregoing questions as to the exclusive jurisdiction of the United States shall leave the subject in such position that the concurrence of Great Britain is necessary to the establishment of regulations for the proper protection and preservation of the fur seal in or habitually resorting to the Bering Sea, the arbitrators shall then determine what concurrent regulations, outside the jurisdictional limits of the respective Governments, are necessary, and over what waters such regulations should extend;
>
> The high contracting parties furthermore agree to cooperate in securing the adhesion of other powers to such regulations;

And whereas, by Article VIII of the said treaty, after reciting that the high contracting parties had found themselves unable to agree upon a reference which should include the question of the liability of each for the injuries alleged to have been sustained by the other, or by its citizens, in connection with the claims presented and urged by it, and that "they were solicitous that this subordinate question should not interrupt or longer delay the submission and determination of the main questions," the high contracting parties agreed that "either of them might submit to the arbitrators any question of fact involved in said claims and ask for a finding thereon, the question of the liability of either Government upon the facts found to be the subject of further negotiation;"

And whereas the President of the United States of America named the Hon. John M. Harlan, justice of the Supreme Court of the United States, and the Hon. John T. Morgan, Senator of the United States, to be two of the said arbitrators, and Her Britannic Majesty named the Right Hon. Lord Hannen and the Hon. Sir John Thompson, minister of justice and attorney-general for Canada, to be two of the said arbitrators, and His Excellency, the President of the French Republic, named the Baron de Courcel, senator, ambassador of France, to be one of the said arbitrators, and His Majesty, the King of Italy, named the

Marquis Emilio Visconti Venosta, former minister of foreign affairs and senator of the Kingdom of Italy, to be one of the said arbitrators, and His Majesty, the King of Sweden and Norway, named Mr. Gregers Gram, minister of state, to be one of the said arbitrators;

And whereas we, the said arbitrators, so named and appointed, having taken upon ourselves the burden of the said arbitration, and having duly met at Paris, proceeded impartially and carefully to examine and decide all the questions submitted to us, the said arbitrators under the said treaty, or laid before us as provided in the said treaty on the part of the Governments of Her Britannic Majesty and the United States, respectively;

Now we, the said arbitrators, having impartially and carefully examined the said questions, do in like manner by this our award decide and determine the said questions in manner following, that is to say, we decide and determine as to the five points mentioned in Article VI as to which our award is to embrace a distinct decision upon each of them:

As to the first of the said five points, we, the said Baron de Courcel, Mr. Justice Harlan, Lord Hannen, Sir John Thompson, Marquis Visconti Venosta, and Mr. Gregers Gram, being a majority of the said arbitrators, do decide and determine as follows:

By the ukase of 1821, Russia claimed jurisdiction in the sea now known as the Bering's Sea, to the extent of 100 Italian miles from the coasts and islands belonging to her, but, in the course of the negotiations which led to the conclusion of the treaties of 1824 with the United States and of 1825 with Great Britain, Russia admitted that her jurisdiction in the said sea should be restricted to the reach of cannon shot from shore, and it appears that, from that time up to the time of the cession of Alaska to the United States, Russia never asserted in fact or exercised any exclusive jurisdiction in Bering's Sea or any exclusive rights in the seal fisheries therein beyond the ordinary limit of territorial waters.

As to the second of the said five points, we, the said Baron de Courcel, Mr. Justice Harlan, Lord Hannen, Sir John Thompson, Marquis Visconti Venosta, and Mr. Gregers Gram, being a majority of the said arbitrators, do decide and determine that Great Britain did not recognize or concede any claim upon the part of Russia to exclusive jurisdiction as to the seal fisheries in Bering Sea outside of ordinary territorial waters.

As to the third of the said five points, as to so much thereof as requires us to decide whether the body of water now known as the Bering Sea was included in the phrase "Pacific Ocean" as used in the treaty of 1825 between Great Britain and Russia, we, the said arbitrators, do unanimously decide and determine that the body of water now known as the Bering Sea was included in the phrase "Pacific Ocean," as used in the said treaty.

And as to so much of the said third point as requires us to decide what rights, if any, in the Bering Sea were held and exclusively exercised by Russia after the said treaty of 1825, we, the said Baron de Courcel, Mr. Justice Harlan, Lord Hannen, Sir John Thompson, Marquis Visconti Venosta, and Mr. Gregers Gram, being a majority of the said arbitrators, do decide and determine that no exclusive rights of jurisdiction in Bering Sea and no exclusive rights as to the seal fisheries therein were held or exercised by Russia outside of ordinary territorial waters after the treaty of 1825.

As to the fourth of the said five points, we, the said arbitrators, do unanimously decide and determine that all the rights of Russia as to jurisdiction and as to the seal fisheries in Bering Sea east of the water boundary, in the treaty between the United States and Russia of the 30th March, 1867, did pass unimpaired to the United States under the said treaty.

As to the fifth of the said five points, we, the said Baron de Courcel, Lord Hannen, Sir John Thompson, Marquis Visconti Venosta and Mr. Gregers Gram, being a majority of the said arbitrators, do decide and determine that the United States has not any right of protection or property in the fur seals frequenting the islands of the United States in Bering Sea, when such seals are found outside the ordinary three-mile limit.

And whereas the aforesaid determination of the foregoing questions as to the exclusive jurisdiction of the United States mentioned in Article VI leaves the subject in such a position that the concurrence of Great Britain is necessary to the establishment of regulations for the proper protection and preservation of the fur seal in or habitually resorting to the Bering Sea, the tribunal having decided by a majority as to each article of the following regulations, we, the said Baron de Courcel, Lord Hannen, Marquis Visconti Venosta, and Mr. Gregers Gram, assenting to the whole of the nine articles of the following regulations, and being a majority of the said arbitrators, do decide and determine in the mode provided by the treaty, that the following concurrent regulations outside the jurisdictional limits of the respective Governments are necessary and that they should extend over the waters hereinafter mentioned, that is to say:

ARTICLE 1.

The Governments of the United States and of Great Britain shall forbid their citizens and subjects, respectively, to kill, capture, or pursue at any time and in any manner whatever, the animals commonly called fur seals, within a zone of sixty miles around the Pribilov Islands, inclusive of the territorial waters.

The miles mentioned in the preceding paragraph are geographical miles of sixty to a degree of latitude.

ARTICLE 2.

The two Governments shall forbid their citizens and subjects, respectively, to kill, capture, or pursue, in any manner whatever, during the season extending, each year, from the 1st of May to the 31st of July, both inclusive, the fur seals on the high sea, in the part of the Pacific Ocean, inclusive of the Behring Sea, which is situated to the north of the 35th degree of north latitude, and eastward of the 180th degree of longitude from Greenwich till it strikes the water boundary described in article 1 of the treaty of 1867 between the United States and Russia, and following that line up to Behring Straits.

ARTICLE 3.

During the period of time and in the waters in which the fur-seal fishing is allowed, only sailing vessels shall be permitted to carry on or take part in fur-seal fishing operations. They will, however, be at liberty to avail themselves of the use of such canoes or undecked boats, propelled by paddles, oars, or sails, as are in common use as fishing boats.

ARTICLE 4.

Each sailing vessel authorised to fish for fur seals must be provided with a special license issued for that purpose by its Government and shall be required to carry a distinguishing flag, to be prescribed by its Government.

ARTICLE 5.

The masters of the vessels engaged in fur-seal fishing shall enter accurately in their official log book the date and place of each fur-seal fishing operation, and also the number and sex of the seals captured upon each day. These entries shall be communicated by each of the two Governments to the other at the end of each fishing season.

ARTICLE 6.

The use of nets, fire arms and explosives shall be forbidden in the fur-seal fishing. This restriction shall not apply to shotguns when such fishing takes place outside of Behring's Sea during the season when it may be lawfully carried on.

ARTICLE 7.

The two Governments shall take measures to control the fitness of the men authorized to engage in fur-seal fishing; these men shall have been proved fit to handle with sufficient skill the weapons by means of which this fishing may be carried on.

ARTICLE 8.

The regulations contained in the preceding articles shall not apply to Indians dwelling on the coasts of the territory of the United States or of Great Britain, and carrying on fur-seal fishing in canoes or undecked boats not transported by or used in connection with other vessels and propelled wholly by paddles, oars, or sails, and manned by not more than five persons each in the way hitherto practised by the Indians, provided such Indians are not in the employment of other persons, and provided that, when so hunting in canoes or undecked boats, they shall not hunt fur seals outside of territorial waters under contract for the delivery of the skins to any person.

This exemption shall not be construed to affect the municipal law of either country, nor shall it extend to the waters of Behring Sea or the waters of the Aleutian Passes.

Nothing herein contained is intended to interfere with the employment of Indians as hunters or otherwise in connection with fur-sealing vessels as heretofore.

ARTICLE 9.

The concurrent regulations hereby determined with a view to the protection and preservation of the fur seals shall remain in force until they have been, in whole or in part, abolished or modified by common agreement between the Governments of the United States and of Great Britain.

The said concurrent regulations shall be submitted every five years to a new examination, so as to enable both interested Governments to consider whether, in the light of past experience, there is occasion for any modification thereof.

And whereas the Government of Her Britannic Majesty did submit to the Tribunal of Arbitration by Article VIII of the said treaty certain questions of fact involved in the claims referred to in the said Article VIII, and did also submit to us, the said tribunal, a statement of the said facts, as follows, that is to say:

FINDINGS OF FACT PROPOSED BY THE AGENT OF GREAT BRITAIN AND AGREED TO AS PROVED BY THE AGENT FOR THE UNITED STATES, AND SUBMITTED TO THE TRIBUNAL OF ARBITRATION FOR ITS CONSIDERATION.

1. That the several searches and seizures, whether of ships or goods, and the several arrests of masters and crews, respectively mentioned in the schedule to the British case, pages 1 to 60, inclusive, were made by the authority of the United States Government. The questions as to the value of the said vessels or their contents, or either of them, and the question as to whether the vessels mentioned in the schedule to the British case, or any of them, were wholly or in part the actual property of citizens of the United States, have been withdrawn from and have not been considered by the tribunal, it being understood that it is open to the United States to raise these questions or any of them, if they think fit, in any future negotiations as to the liability of the United States Government to pay the amounts mentioned in the schedule to the British case.

2. That the seizures aforesaid, with the exception of the *Pathfinder* seized at Neah Bay, were made in Bering Sea at the distances from shore mentioned in the schedule annexed hereto, marked C.

3. That the said several searches and seizures of vessels were made by public armed vessels of the United States, the commanders of which had, at the several times when they were made, from the Executive Department of the Government of the United States, instructions, a copy of one of which is annexed hereto, marked A, and that the others were, in all substantial respects, the same; that in all the instances in which proceedings were had in the district courts of the United States resulting in condemnation, such proceedings were begun by the filing of libels, a copy of one of which is annexed hereto, marked B, and that the libels in the other proceedings were in all substantial respects the same; that the alleged acts or offenses for which said several searches and seizures were made were in each case done or committed in Bering Sea at the distances from shore aforesaid; and that in each case in which sentence of condemnation was passed, except in those cases when the vessels were released after condemnation, the seizure was adopted by the Government of the United States; and in those cases in which the vessels were released the seizure was made by the authority of the United States; that the said fines and imprisonments were for alleged breaches of the municipal laws of the United States, which alleged breaches were wholly committed in Bering Sea at the distances from the shore aforesaid.

4. That the several orders mentioned in the schedule annexed hereto and marked C, warning vessels to leave or not to enter Bering Sea were made by public armed vessels of the United States, the commanders of which had, at the several times when they were given, like instructions as mentioned in finding 3, and that the vessels so warned were engaged in sealing or prosecuting voyages for that purpose, and that such action was adopted by the Government of the United States.

5. That the district courts of the United States in which any proceedings were had or taken for the purpose of condemning any vessel seized as mentioned in the schedule to the case of Great Britain, pages 1 to 60, inclusive, had all the jurisdiction and powers of courts of admiralty, including the prize jurisdiction, but that in each case the sentence pronounced by the court was based upon the grounds set forth in the libel.

ANNEX A.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, April 21, 1886.

SIR: Referring to Department letter of this date, directing you to proceed with the revenue steamer *Bear*, under your command, to the seal islands, etc., you are hereby clothed with full power to enforce the law contained in the provisions of section 1956 of the United States Revised Statutes, and directed to seize all vessels, and arrest and deliver to the proper authorities any or all persons whom you may detect violating the law referred to, after due notice shall have been given.

You will also seize any liquors or firearms attempted to be introduced into the country without proper permit, under the provisions of section 1955 of the Revised Statutes, and the proclamation of the President, dated 4th February, 1870.

Respectfully, yours,

C. S. FAIRCHILD, *Acting Secretary.*

Capt. M. A. HEALY,
Commanding revenue steamer Bear, San Francisco, Cal.

ANNEX B.

In the district court of the United States for the district of Alaska—August special term, 1886.

Hon. LAFAYETTE DAWSON,
Judge of said District Court:

The libel of information of M. D. Ball, attorney for the United States for the district of Alaska, who prosecutes on behalf of said United States, and being present here in court in his proper person, in the name and on behalf of the said United States, against the schooner *Thornton*, her tackle, apparel, boats, cargo, and furniture, and against all persons intervening for their interest therein, in a cause of forfeiture, alleges and informs as follows:

That Charles A. Abbey, an officer in the Revenue-Marine Service of the United States, and on special duty in the waters of the district of Alaska, heretofore, to wit, on the 1st day of August, 1886, within the limits of Alaska Territory, and in the waters thereof, and within the civil and judicial district of Alaska, to wit, within the waters of that portion of Bering Sea belonging to the said district, on waters navigable from the sea by vessels of 10 or more tons burden, seized the ship or vessel commonly called a schooner, the *Thornton*, her tackle, apparel, boats, cargo, and furniture, being the property of some person or persons to the said attorney unknown, as forfeited to the United States, for the following causes:

That the said vessel or schooner was found engaged in killing fur seal within the limits of Alaska Territory, and in the waters thereof, in violation of section 1956 of the Revised Statutes of the United States.

And the said attorney saith that all and singular the premises are and were true, and within the admiralty and maritime jurisdiction of this court, and that by reason thereof, and by force of the Statutes of the United States in such cases made and provided, the afore-mentioned and described schooner or vessel, being a vessel of over 20 tons burden, her tackle, apparel, boats, cargo, and furniture, became and are forfeited to the use of the said United States, and that said schooner is now within the district aforesaid.

Wherefore the said attorney prays the usual process and monition of this honorable court issue in this behalf, and that all persons interested in the before-mentioned and described schooner or vessel may be cited in general and special to answer the premises, and all due proceedings being had, that the said schooner or vessel, her tackle, apparel, boats, cargo, and furniture may, for the cause aforesaid, and others appearing, be condemned by the definite sentence and decree of this honorable court, as forfeited to the use of the said United States, according to the form of the statute of the said United States in such cases made and provided.

M. D. BALL,
United States District Attorney for the District of Alaska.

ANNEX C.

The following table shows the names of the British sealing vessels seized or warned by United States revenue cruisers, 1886-1890, and the approximate distance from land when seized. The distances assigned in the cases of the *Carolena*, *Thornton*, and *Onward* are on the authority of United States Naval Commander Abbey. (See Fiftieth Congress, second session, Senate Ex. Doc. No. 106, pp. 20, 30, 40.) The distances assigned in the cases of the *Anna Beck*, *W. P. Sayward*, *Dolphin* and *Grace* are on the authority of Captain Shepard, U. S. R. M. (Blue Book, United States, No. 2, 1890, pp. 80-82. See Appendix, Vol. III.)

Name of vessel.	Date of seizure.	Approximate distance from land when seized.	United States vessel making seizure.
Carolena	Aug. 1, 1886	75 miles	Corwin.
Thornton	do	70 miles	Corwin.
Onward	Aug. 2, 1886	115 miles	Corwin.
Favourite	do	Warned by Corwin in about same position as Onward.	
Anna Beck	July 2, 1887	66 miles	Rush.
W. P. Sayward	July 9, 1887	59 miles	Rush.
Dolphin	July 12, 1887	40 miles	Rush.
Grace	July 17, 1887	96 miles	Rush.
Alfred Adams	Aug. 10, 1887	62 miles	Rush.
Ada	Aug. 25, 1887	15 miles	Bear.
Triumph	Aug. 4, 1887	Warned by Rush not to enter Bering Sea	
Juanita	July 31, 1889	66 miles	Rush.
Pathfinder	July 29, 1889	50 miles	Rush.
Triumph	July 11, 1889	Ordered out of Bering Sea by Rush. (?) As to position when warned.	
Black Diamond	do	35 miles	Rush.
Lily	Aug. 6, 1889	66 miles	Rush.
Ariel	July 30, 1889	Ordered out of Bering Sea by Rush	
Kate	Aug. 13, 1889	do	
Minnie	July 15, 1889	65 miles	Rush.
Pathfinder	Mar. 27, 1890	Seized in Neah Bay [1]	Corwin.

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[1] Neah Bay is in the State of Washington, and the *Pathfinder* was seized there on charges made against her in the Bering Sea in the previous year. She was released two days later.

And whereas the Government of Her Britannic Majesty did ask the said arbritrators to find the said facts as set forth in the said statement, and whereas the agent and counsel for the United States Government thereupon in our presence informed us that the said statement of facts was sustained by the evidence, and that they had agreed with the agent and counsel for Her Britannic Majesty that we, the arbitrators, if we should think fit so to do, might find the said statement of facts to be true.

Now, we, the said arbitrators, do unanimously find the facts as set forth in the said statement to be true.

And whereas each and every question which has been considered by the tribunal has been determined by a majority of all the arbitrators;

Now, we, Baron de Courcel, Lord Hannen, Mr. Justice Harlan, Sir John Thompson, Senator Morgan, the Marquis Visconti Venosta, and Mr. Gregers Gram, the respective minorities not withdrawing their votes, do declare this to be the final decision and award in writing of this tribunal in accordance with the treaty.

Made in duplicate at Paris and signed by us the 15th day of August in the year 1893.

And we do certify this English version thereof to be true and accurate.

ALPH. DE COURCEL.
JOHN M. HARLAN.
JOHN T. MORGAN.
HANNEN.
JNO. S. D. THOMPSON.
VISCONTI VENOSTA.
G. GRAM.

[Inclosure 2 in No. 8.]

[English version.]

Declarations made by the Tribunal of Arbitration and referred to the Governments of the United States and Great Britain for their consideration.

I.

The arbitrators declare that the concurrent regulations, as determined upon by the Tribunal of Arbitration, by virtue of Article VII of the treaty of the 29th of February, 1892, being applicable to the high sea only, should, in their opinion, be supplemented by other regulations applicable within the limits of the sovereignty of each of the two Powers interested and to be settled by their common agreement.

II.

In view of the critical condition to which it appears certain that the race of fur seals is now reduced in consequence of circumstances not fully known, the arbitrators think fit to recommend both Governments to come to an understanding in order to prohibit any killing of fur seals, either on land or at sea, for a period of two or three years, or at least one year, subject to such exceptions as the two Governments might think proper to admit of.

Such a measure might be recurred to at occasional intervals if found beneficial.

III.

The arbitrators declare, moreover, that, in their opinion, the carrying out of the regulations determined upon by the Tribunal of Arbitration, should be assured by a system of stipulations and measures to be enacted by the two Powers; and that the tribunal must, in consequence, leave it to the two Powers to decide upon the means for giving effect to the regulations determined upon by it.

We do certify this English version to be true and accurate and have signed the same at Paris this 15th day of August, 1893.

ALPH DE COURCEL.
JOHN M. HARLAN.

I approve Declarations I and III.

HANNEN.

I approve Declarations I and III.

JNO. S. D. THOMPSON.
JOHN T. MORGAN.
VISCONTI VENOSTA.
G. GRAM.

No. 9.

Mr. Bayard to Mr. Gresham.

EMBASSY OF THE UNITED STATES,
London, September 19, 1893. (Received September 30.)

SIR: * * * I have to-day received a note from the foreign office informing me that a letter has just been received at the colonial office from Sir Charles Tupper, in Canada, stating that he and the prime minister had been engrossed by arrears of business since their return, but that he was preparing a memorandum on the award in the Bering Sea Arbitration; and I am further informed that Lord Ripon has already telegraphed to Canada to expedite the memorandum in question and its receipt at the colonial office here.

I have every confidence that an effective execution of the award will be agreed upon in as short a time as the complexity and magnitude of the subject, and the somewhat undefined nature of the regulations and recommendations of the Tribunal of Arbitration, will admit.

I have, etc.,

T. F. BAYARD.

No. 10.

Mr. Bayard to Mr. Gresham.

[Telegram.]

LONDON, *September 20, 1893.*

Your instructions by cable duly followed. In an interview to-day secretary of state for foreign affairs fully responds to President's wishes for prompt action in executing Bering Sea award.

No. 11.

Mr. Bayard to Mr. Gresham.

EMBASSY OF THE UNITED STATES,
London, September 20, 1893. (Received September 30.)

SIR: I have the honor to acknowledge the receipt of your telegram of the 16th instant, with reference to the negotiation here of a convention to carry out the recommendations accompanying the award in the Bering Sea Arbitration.

Lord Rosebery's absence from town until to-day prevented my seeing him until 4 p. m. I made known to him the purport of your last instruction by cable, and pressed upon him the importance of prompt and active cooperation by the United States and Great Britain to give effective and executive force to the Paris award. He instantly expressed his desire to do so, and said he had no doubt whatever of a similar intent and feeling on the part of Canada.

While expressing this ready concurrence, he pressed me to convey his desire that, as the facts to be dealt with were all in America, Sir Julian Pauncefote, from his full knowledge of the whole business, should be employed on behalf of Great Britain in carrying out the decisions and recommendations of the tribunal.

There is not time before this mail leaves for me to state with more fullness his remarks, which, however, I will do by the next mail; and have just telegraphed you to acknowledge your telegram and state the interview directed by it had been held.

I have, etc., T. F. BAYARD.

No. 12.

Mr. Bayard to Mr. Gresham.

EMBASSY OF THE UNITED STATES,
London, September 30, 1893. (Received October 9.)

SIR: I have now the honor to acknowledge your letter of the 13th instant, stating the present condition of affairs arising out of the results of the Paris Arbitration in relation to our interests in Bering Sea and the fur-seal fisheries therein. And, as connected with the same subject, I have also the honor to acknowledge your letter of the 19th instant, inclosing copies of the final award and decision of the same tribunal.

The contents of both these communications have received the careful consideration which their importance demands.

My dispatches of September 19 and of September 30 can both be properly referred to in this communication as bearing upon the relations of the United States with the Dominion of Canada, in which the interests are conducted under the name (*nominis umbra*) of Great Britain, and which in a large degree, but not wholly, include the business of fur sealing, and although the capture of the fur seal (in the high seas) is chiefly carried on by Canadians, yet the dressing of the skins is almost entirely a London industry, and it is said that some ten thousand people are here engaged therein.

Lord Rosebery left London to be in attendance upon the Queen at Balmoral on the day I last had an interview with him, as reported to you, and is expected to return to London next week.

I shall without delay seek another interview with Lord Rosebsry upon his return to London, and endeavor to come to a distinct understanding on the subject under consideration, in order to proceed promptly to carry into practical effect the award and the recommendations with which it is accompanied.

To suspend wholly, even for a single year, the seal catch on the islands might be highly prejudicial to the United States, or their lessees, and as in the provisional or temporary arrangement of May, 1893, between Russia and Great Britain, a limit of 30,000 seals on the Russian islands was agreed to, it would seem a very reasonable figure to adopt for the catch on the Pribilof islands, whose product has been supposed to be about double that of the Russian islands.

I would respectfully ask for an expression of your views on this subject and how far we ought to go in restricting the seal catch on these islands. The mail closes in an hour and I will withhold other comments until I may have had some communication from the foreign office, and received some intimation of the Canadian views.

I have, etc.,

T. F. BAYARD.

No. 13.

Mr. Gresham to Mr. Bayard.

[Telegram.]

DEPARTMENT OF STATE,
Washington, October 3, 1893.

Yours of September 20 received. Lord Rosebery's suggestion has been carefully considered, and the President still prefers that all negotiations for concurrent action by the two Governments necessary to make the award and recommendations of the Bering Sea Tribunal effective be conducted by you at London, and my instructions cabled September 16 are repeated.

No. 14.

Mr. Gresham to Mr. Bayard.

DEPARTMENT OF STATE,
Washington, October 6, 1893.

SIR: Referring to my telegrams to you of the 16th ultimo and the 3d instant, relative to negotiations for carrying into effect the regulations proposed by the Bering Sea Arbitration Tribunal, I inclose, as of probable use to you in conducting the business, a copy of a letter, dated the 4th ultimo, from the Hon. E. J. Phelps, commenting on the award made by the arbitrators; also a copy of suggestions by Mr. James C. Carter on certain branches of the subject.

I am, etc.,

W. Q. GRESHAM.

[Inclosure 1 in No. 14.]

Mr. Phelps to Mr. Gresham.

BURLINGTON, VT., *September 4, 1893.*

SIR: Having been engaged as counsel for the United States before the Tribunal of Arbitration recently convened at Paris, under the treaty with Great Britain of 1892, in reference to the preservation of the fur seals frequenting the Pribilof Islands in Bering Sea, I deem it proper to place before the Department my views in respect to the award that has been made by the arbitrators.

I regard the regulations which it establishes as amply sufficient, if properly carried into effect, for the preservation of the herd of seals resorting to those islands.

The only months in which pelagic sealing is or can be carried on to any considerable extent are May and June in the North Pacific and July and August, and perhaps the first half of September, in the Bering Sea. A small number of seals may be taken in the North Pacific earlier, and possibly later, than those months, but not large enough to warrant the fitting out of vessels for that purpose, if the pursuit during the months named is prohibited. The business must therefore, in that event, cease, because it will become unprofitable.

Nor would the number that could be taken outside of those months be great enough to endanger the existence of the herd or seriously to interfere with the profits of the industry on the Pribilof Islands.

The award prohibits altogether the killing of the seals in the water, either in the North Pacific or in Bering Sea, during the months of May, June, and July, and prohibits during the remainder of the season in Bering Sea the use of firearms, nets, or explosives, or the taking of seals at all within sixty miles of the Pribilof Islands. This is practically a prohibition of pelagic sealing during the whole season in Bering Sea, because without firearms the seals can not be taken. The Indians manage to secure a few near the shores with spears; but the number that can be so taken is insignificant, especially in the open sea. Pelagic sealing has never been prosecuted in that way, nor could it be made to pay expenses.

The result of the award is therefore a virtual prohibition of pelagic sealing in Bering Sea, and to any very injurious extent in the North Pacific.

A copy of a paper prepared by one of the counsel in the case has been sent me, which, I am informed, has been transmitted to the Department. In this paper it is assumed that 20,000 female seals can be annually destroyed in the water consistently with the observance of the regulations established by the award. In this assumption I do not concur. It is, in my judgment, in conflict with all the evidence in the case on that point, as will be seen by a reference to it.

The sealing season at sea is divided into two periods, the "coast catch," consisting of those taken in the North Pacific prior to July 1 (by which time all the seals have entered the Bering Sea), and the Bering Sea catch, taken between July 1 and September 15. The latter, as has been pointed out, is totally prohibited. Of the former, tables prepared on the basis of the best information attainable show that 72 per cent are taken in the months of May and June, during which sealing in the North Pacific is forbidden by the award. More than seven-eighths of the entire business of pelagic sealing thus comes to an end, and it is obvious that the remainder can not pay for the expeditions necessary to prosecute it, nor be seriously detrimental, if prosecuted, to the existence of the herd.

It is further suggested in the same paper that as the proposed regulations affect only American and British vessels, poachers from those countries can avail themselves of the flag of some other nation to continue their depredations. I regard this apprehension as groundless.

No country, except the United States and Canada, has ever engaged in the pursuit of pelagic sealing in the North Pacific or in Bering Sea. The distance of these waters from all other maritime nations, except Russia and Japan, is so great that they can not engage in it with profit. Russia and Japan are interested to preserve the seal, as both possess seal islands, and their laws therefore protect seal life. This was pointed out by Mr. Blaine in the course of the diplomatic correspondence, when it was suggested by Great Britain that such regulations as might be fixed by the arbitrators should be dependent on the assent of other nations.

If, therefore, Canadian sealers should propose to avail themselves of the protection of the flags of other governments to prosecute a business in which the subjects of such governments are not engaged, it could only be accomplished by obtaining fraudulent registrations of their vessels in those countries, so as to evade the laws of their own. This would involve a connivance on the part of the nations allowing such registrations, which is not to be presumed of any sovereign power.

Nor could they possibly escape detection. If the crews of vessels so registered were composed, as they must be, of Canadians or Americans, and the employment was one, as it would be, in which the citizens of the country of registration were not engaged, it would be impossible for them to avoid exposure. And certainly when that took place no nation would attempt to afford protection to vessels not really their own, but which had been imposed upon them by fraud for the purpose of violating the laws of the nation to which their owners belonged.

I do not conceive, therefore, that the assent of other nations to these regulations would be at all necessary. So far as they can be obtained they may no doubt be desirable.

It appears to me, and I therefore respectfully submit that the first duty of the United States Government is to pass such laws as will effectually prohibit pelagic sealing by their own citizens under any flag, either in the North Pacific or in Bering Sea, during the close time fixed by these regulations, or in any manner which their terms forbid. This we have solemnly agreed to do by the treaty with Great Britain. Failing to do it, we can not expect them to be adopted by Great Britain. And we should convict ourselves before the world of a want of good faith in our previous diplomatic claims and in those urged before the arbitration. We should next firmly insist upon the enforcement of the regulations by all proper legislation on the part of Great Britain and Canada.

When that is accomplished on both sides, the valuable interest in question will be preserved from the destruction that would otherwise await it.

I venture to suggest further, for the consideration of the Department, that regard should be had by the United States Government to the recommendations of the tribunal relative to the restriction for some limited time of the number of seals to be killed on the Pribilof Islands.

There can be no doubt that these recommendations are judicious, and that a compliance with them would be most beneficial to the industry. They are made in the light of much evidence and unwearied investigations, in furtherance of the object which both nations had in view, the preservation of the last remnant of this valuable race of animals. A proper respect for the tribunal which has at great personal inconvenience rendered us so great a service would seem to require that their suggestions should be attended to.

In respect of the claim of property in the seals made before the tribunal by the United States Government and disallowed by a majority vote little need be added. That we were right in this assertion I fully and firmly believe, and I am confirmed on this point not only by the views of my associates, but by the dissenting opinions of the eminent and learned members of the tribunal appointed by the United States.

I do not attempt to rehearse the many disadvantages we were placed under in the assertion of this claim by the composition of the tribunal, the terms of the treaty, the grounds previously taken by our Government, and by various other unfavorable circumstances.

Not the least of these was the extraordinary and unexpected action taken by Russia while the hearing before the tribunal was going on, in coming to an agreement with Great Britain in reference to their own seal islands, in which the right for which we contended and for which Russia had previously contended was given up, the vessels seized by Russia in the assertion of that right paid for, and regulations as to the killing of Russian seals provided, which are totally inadequate for their preservation.

Russia was on this question in the same interest with the United States. She had participated with us in the previous negotiations with Great Britain, in which protection for the seals was sought. The agreement made in 1887 between the United States and Great Britain for such protection, and which failed to be carried out in consequence of the objections of Canada, was made upon consultation with and with the concurrence of Russia, and was extended at her request so as to embrace her seal islands. Yet while the hearing before the tribunal was progressing, without any notice to or knowledge of the United States, with a haste for which in any event there could be no conceivable necessity, she permitted herself to be drawn into an agreement so seriously prejudical to the contention of the United States. If our case had not been a very strong one, this very adroit and successful diplomacy on the part of Great Britain, announced to the tribunal near the close of the hearing, would have been fatal, as it was intended to be.

I can not take leave of this subject, in terminating my connection with the public service in respect to it, without expressing my deep sense of the great ability and learning of the distinguished gentlemen who consented to act as arbitrators, of their unfailing courtesy and patience, and of their earnest efforts to reach a just conclusion. The nations concerned owe them a debt of gratitude which should be suitably acknowledged, since it can not be discharged.

And I desire also to express my appreciation of the thorough and efficient manner in which the case of the United States was prepared and presented by the agent of the Government, and of the very valuable services in its conduct of all the counsel with whom I had the pleasure of being associated.

I have, etc., E. J. PHELPS.

[Inclosure 2 in No. 14.]

Suggestions by Mr. Carter.

PART I.—THE MATTER OF OBTAINING THE ASSENT OF OTHER NATIONS TO REGULATIONS.

This is a subject of the highest importance, and is not unlikely to result in the greatest difficulty. It is one of the points in which the result of the arbitration may be to hasten the event which the neutral arbitrators fondly supposed they had prevented—the extermination of the seals as a commercial factor.

If it should turn out that the regulations have destroyed the profits of pelagic sealing, or reduced them to so low a point as to afford little temptation for the Canadian and American vessels to engage in it, their first resort will be to seek the protection of another flag; and this may easily be obtained, unless all the maritime powers should be induced to adopt and enforce the regulations.

Before the arbitration, while the United States could take the ground that the seals were its property, and consequently that it had the right to protect the herd everywhere against depredation, it would have been an easy thing to enforce that protection against the vessels of any weak state; but there was never any occasion to take such action, for the reason that none but Canadians and Americans engaged in the business.

Now, however, we may be soon confronted with the situation that vessels carrying, for instance, the flag of Chile, will appear in the sealing waters at prohibited times and in prohibited places. What shall the United States do? How can it now assert a right of property after it has been decided by an international court, in a proceeding to which it was a party, that no such right exists? True, it may say to other powers that they can not plead the judgment in their favor, because they were not parties, and that the United States still continues to assert its claim of property against all nations who were not parties to the proceeding. This course might be strictly just and consistent in the United States. They might insist that the important legal question of the right of property had not been finally settled; that the tribunal was not well constituted to decide it; that the United States would not be satisfied until a tribunal of independent jurists—not including representatives of the interested parties, and having no other questions to consider but this claim of right—had determined that it did not exist. This would be a consistent and honorable attitude in the United States, which would deserve the applause of the world. But the danger would be that the world at large, unacquainted with the real facts in the case, and consequently unacquainted with the real nature of the question, would view such conduct by the United States as a willful and unjustifiable effort to disregard the decision.

In the eyes of the world the judgment of the tribunal would, or might be, regarded as a final decision which ought to put an end to the question; and that inasmuch as it had determined that the seals were wild animals open to pursuit by all, all must be permitted to enjoy the right unless they voluntarily chose to give it up; and that if such a view should result in a destruction of the seals, that consequences must be accepted in preference to a disturbance of the peace of the world.

But another possible consequence of such an attitude by the United States must be contemplated. If they should capture a vessel of Chile or Peru, no critical condition could be brought on, although this is not certain. But suppose they had done this, and then a sealer should appear bearing the flag of some great naval power other than Great Britain? The United States would be utterly disgraced unless they also captured the trespasser, and this would present a very critical situation.

All this makes more apparent the absurd result of the arbitration. Sincerely desiring to protect the seals, but seeking to accomplish this object without wholly humiliating Great Britain, they reject the claim of right in order to reach the subject of regulations, that they may accommodate the difficulty by a dealing with that subject. They thus throw away the only means by which the herd can certainly be preserved, for they declare that all nations have a right to engage in the destructive work, thus making any system of repression ineffective unless the whole world choose to accede to it.

But the effort should be made to induce acquiescence on the part of other maritime powers, and it is to be hoped it may be successful.

PART II.—WHAT POSITION SHOULD THE UNITED STATES TAKE IN RELATION TO PELAGIC SEALING BY ITS OWN CITIZENS DURING THE OPEN SEASON?

This subject is another which the decision of the tribunal makes it exceedingly difficult to deal with.

There has always been a certain measure of inconsistency in the action of the United States in relation to this matter. We insisted before the tribunal that pelagic sealing was a barbarous and inhuman practice, a crime against the law of nature, and which, if it were carried on within the limits of a civilized state, would be stamped as a crime by the laws, and be punished as such; and that its character was not changed by the circumstance that it was carried on beyond the limits of municipal law. Of course we were obliged to meet the suggestion that our conduct was not consistent with this view, inasmuch as we ourselves permitted it, at least in the North Atlantic Ocean. To this we answered that Congress was a popular body, all the members of which could not be supposed to be familiar with the subject; that when our legislation was enacted it was not perceived, as we now clearly perceive, that the whole benefit of the herd of seals could be reaped by the selective killing carried on upon the Pribilof Islands without diminishing the herd, and consequently it was not then clearly perceived that pelagic sealing was an absolutely needless, and therefore an absolutely unjustifiable destruction of a bounty of nature; that, at the same time, many supposed (a wholly erroneous view) that an attempt by us to prevent pelagic sealing was an assertion of dominion over the seas, and that we could not exercise this outside of the waters of Behring Sea, even if we could there; that between these doubts and the hesitancy to prohibit our own citizens from doing what we allowed the citizens of other nations to do, our legislation had, undoubtedly, not proceeded upon views entirely consistent with our propositions as urged upon the tribunal. We asserted, however, that the moment the tribunal established our rights as claimed we should at once shape our legislation in accordance with the decree and absolutely prohibit our own citizens from engaging in pelagic sealing anywhere.

But what shall we do now? Shall we courageously say that the decision settles only the difficulty between the contending parties, but has not in any manner changed our views concerning the principles involved? That we still think that we have a right of property in the seals, and that the slaughter of female seals is barbarous, inhuman, and a crime against nature? Or shall we swallow all our protestations and accept the conclusion that this wretched work is a legitimate employment of human labor? If we take the former course we must prohibit pelagic sealing by our own citizens everywhere, precluding them from trespassing upon the property of our neighbors, the Russians, as well as upon our own, and leave to other nations the glory or the infamy, as well as the profits of this pursuit. If we take the latter we shall reap our part of the profits, if there be any, and occupy the miserable position of engaging in employments which we really believe to be immoral and criminal. I hope, for one, that our country will take the first attitude and persist in it. And my reasons are these:

First. Because we have been wholly right in our contention and the decision is wholly wrong. Nothing can ever be settled in international law until it is settled right. Fundamental truths may be discovered and declared, but they can not be manufactured or annulled. This decision should be viewed, not as discreditable to the tribunal, but as the best result which good men could reach who were, at the start, put in chains by our own action in making up the tribunal. The decision of a tribunal made up in part of representatives of the interested parties, and with laymen for the neutral members, and, moreover, irresistibly tempted to decide adversely to the claim of property in order to be able to settle the difficulty without injuring the susceptibilities of their associates, or of the two nations, can never set at rest any substantial controversy in international law. It will not settle this one. The decision will be challenged by the jurists of the world and will not endure their scrutiny. It proceeds upon a most degraded conception of international law which the enlightened opinion of the world will repudiate.

I would proudly reserve for the United States the glory of persisting in its own conceptions of the true principles of international law, until they shall ultimately triumph.

Those conceptions are that what the laws of God and nature declare to be right must be admitted to be right in international law, and that a decision to the contrary is not only criminal but will bring its own punishment along with it.

Our main proposition in harmony with this principle, upon the question of property, was this: "That wherever a useful thing is dependent for its existence and enjoyment by society upon the care and industry of man, those who exercise that care and industry have a right of property in the thing." This is, indeed, a self-evident proposition, for every one must immediately perceive that the care and industry will not be exercised, unless those who would exercise them are assured of their reward. And no one doubts, if the United States should cease its care and industry in and around the Pribilof Islands, the seals would at once be swept from existence.

The above proposition is the foundation upon which the right of property stands, from a shovel to a swarm of bees. No property would exist, and mankind would sink into barbarism and internecine war, each against the other, were it not true. I hope the United States will stand by that proposition and leave to Great Britain the consequences which flow from a denial of it.

Second. Because we shall lose nothing whatever by taking this honorable course. The regulations either leave pelagic sealing as a profitable pursuit, or they do not. If they do, even though the profit be small, the pursuit will be extensively carried on, and the herd will be destroyed as a commercial factor, and pelagic sealing itself must cease. The gain to our citizens would therefore be trifling and not worth any considerable effort, still less worth a sacrifice of our present honorable attitude. If, on the other hand, the regulations shall make pelagic sealing unprofitable it will not be carried on, in which event we shall lose nothing by compelling an abstention from a pursuit which would not be carried on, even if permitted.

Third. The probabilities are that the regulations will leave pelagic sealing a profitable pursuit, although the profits will be very much cut down. It will, therefore, be pursued. At least 20,000 females will be annually taken, and this will result in a speedy reduction of the herd to a point where it will be burdensome expense to the United States to maintain its guard over the islands, and that guard will be removed, and the remnant of the race will be swept away. I apprehend that if the question be put to our commissioners, Messrs. Mendenhall and Merriam, whether the herd can stand an annual draft of 20,000 females by pelagic sealers, the answer will be promptly in the negative. On this supposition, therefore, we should lose nothing by taking the honorable course and the one consistent with our uniform attitude.

On the other hand, let it be supposed that the regulations leave no profit and therefore no temptation to pelagic sealing, and are thus prohibitive of it; in such case also we should lose nothing, but rather gain.

Nor should we omit to hold in contemplation the contingency, quite possible, that pelagic sealing should continue to be prosecuted, but with unsatisfactory results to the sealers, so that they would become dissatisfied with it and, at the end of five years press, under one of the declarations of the tribunal, for a larger privilege, and that Great Britain should be convinced that a larger privilege would result in the destruction of the herd and would not ask for it; in short, that all parties should finally become convinced of what we now know to be the truth, that pelagic sealing and the preservation of the seals are absolutely irreconcilable. Under such circumstances, after the spirit of national jealousy and contention have passed away and Canada comes to see that pelagic sealing is a worthless bauble, I can not help thinking that Great Britain would be willing to concede to us our property claim, and, if necessary, treat this award as the sentence of a tribunal ill constituted to determine the juridical question, and consent to its resubmission to an independent body of jurists under circumstances which would insure a correct determination. We might thus restore the herd and hold it by a firm title against the world.

Fourth. The United States, by holding this consistent and honorable attitude, would, as above shown, lose nothing, and might, under the favorable circumstances supposed, rehabilitate itself as the sole owner of the seals. But if they are destined to be swept away I would have the hands of the United States unstained by any participation in the destruction and leave to Great Britain the gathering infamy sure to be visited in the end upon a nation which openly struggles to sweep, and finally succeeds in sweeping, from the face of the earth a bounty of nature designed to be a perpetual benefit to man.

Certainly no one will deny that the seals ought to be preserved. Those who deny that it is our peculiar duty to preserve them will also admit that it is the duty of all nations to preserve them. The consequence and the infamy must rest upon those who willfully violate this plain duty.

No. 15.

Sir Julian Pauncefote to Mr. Gresham.

NEWPORT, *October 11, 1893.*

SIR: I have the honor to inform you that I have received a dispatch from the Earl of Rosebery recording a conversation with his excellency the United States ambassador in London respecting the negotiations for carrying out the Bering Sea award, in which his Lordship expressed himself as being most anxious that those negotiations should take place at Washington through me, as I have been conversant with the matter from the beginning. Mr. Bayard has probably reported that conversation to you, and I should be gratified to learn that the wishes expressed by Lord Rosebery to his excellency respecting the negotiation in question are agreeable to your Government.

I have, etc.,

JULIAN PAUNCEFOTE.

No. 16.

Mr. Gresham to Mr. Bayard.

DEPARTMENT OF STATE,
Washington, October 18, 1893.

SIR: I have to acknowledge receipt of your dispatch of the 30th of September, in reply to letters I addressed to you on the 13th and 19th of the same month, in which you say that on Lord Rosebery's return to London you will continue your effort to obtain adequate action on the award of the Paris Tribunal.

I have had an interview with the President and the Secretary of the Treasury on that part of your letter in which you state:

"To suspend wholly, even for a single year, the seal catch on the islands might be highly prejudicial to the United States or their lessees, and as in the provisional or temporary arrangement of May, 1893, between Russia and Great Britain, a limit of 30,000 seals on the Russian islands was agreed to, it would seem a very reasonable figure to adopt for the catch on the Pribilof Islands, whose product has been supposed to be about double that of the Russian islands. I would respectfully ask for an expression of your views on this subject, and how far we ought to go in restricting the seal catch on these islands."

After again consulting with the President and Secretary Carlisle upon this subject to-morrow the desired instructions will be sent to you.

I inclose herewith, for your information, copy of a note which I sent to the British ambassador at Newport, on the 13th instant, informing him that the President would adhere to his purpose of having you conduct the negotiations at London for concurrent action to make the award and recommendations of the Paris Tribunal effective.

I am, etc.,

W. Q. GRESHAM.

No. 17.

Mr. Gresham to Mr. Bayard.

DEPARTMENT OF STATE,
Washington, October 21, 1893.

SIR: In a recent conversation with the Japanese minister I brought to his attention the regulations recommended by the Paris Tribunal of Arbitration, and inquired whether his Government was willing to take advantage of the opportunity afforded it to give its adhesion to them.

The minister said that Japan, having extensive coasts and islands facing the sealing areas, had an interest in the preservation of seal life, and that his Government would gladly come to an understanding with the United States, Great Britain, and Russia for protecting the seal in the Pacific Ocean north of the thirty-fifth degree of north latitude, between California and Japan.

Mr. Tateno expressed the opinion that his Government could not fairly be expected to give its adhesion to the regulations recommended by the arbitrators, and thus prohibit Japanese subjects from taking seal during the months of May, June, and July of each year "in the part of the Pacific Ocean, inclusive of the Bering Sea, which is situated to the north of the thirty-fifth degree of north latitude and eastward of the one hundred and eightieth degree of longitude from Greenwich, till it strikes the water boundary described in article 1 of the treaty of 1867 between the United States and Russia, and following that line up to Bering Straits," while citizens of the United States and subjects of Great Britain, as well as subjects of all the other powers, are permitted to engage in pelagic sealing between these protected waters and Japan.

A glance at any map on an enlarged scale will enable you to more fully understand the minister's position. He expects shortly to receive precise instructions on this point, looking to an international agreement between the four powers for the preservation, for their common benfit, of fur seals between the two continents and north of the thirty-fifth degree of north latitude.

At the conclusion of an interview with the British ambassador on another subject, I informed him what the Japanese minister had said when asked if his Government would give its adhesion to the regulations recommended by the Tribunal of Arbitration. Sir Julian said he recognized the force of the Japanese position, and that the situation seemed to suggest the propriety of such a treaty between the four powers.

In view of the geographical position of Japan, and her interests in the fur-sealing industry, it is not surprising that that Government should assume this position. If the four chiefly interested powers should come to an understanding of the nature indicated, other commercial nations for obvious reasons would likely respect it.

I send you for your information copy of a letter addressed to me under date of October 10, 1893, by Mr. J. Stanley Brown, on the subject of fur sealing and the regulations recommended by the tribunal for the protection of the seal herd. Should you desire the presence of experts to aid you in your negotiations they will be sent to London.

I am, etc.,

W. Q. GRESHAM.

[Inclosure 1 in No. 17.]

Mr. Brown to Mr. Gresham.

1318 MASSACHUSETTS AVENUE,
Washington, D. C., October 10, 1893. (Received October 17.)

SIR: Prompted by my deep interest in the fur-seal question, acquired through more than two years' close study of it, at the Pribilof Islands and in connection with the arbitration, I beg leave to lay before you briefly certain facts and suggestions bearing thereon.

On the occasion of Sir Richard Webster's recent visit to the city I had a conversation with him of some length on the general subject of the regulations formulated by the Paris Tribunal of Arbitration, and the concurrent action of the two Governments yet to be taken to put them into effective operation. As Sir Richard Webster was counsel for Great Britain, it is not improbable that his statements reflect in some measure the views and purposes held by the present officers of the Crown.

There were three points dwelt upon by Sir Richard:

(*a*) He insisted, despite the overwhelming evidence to the contrary, that the diminution of the seal herd was due to excessive killing on the Pribilof Islands, and that pelagic sealing could never destroy the seal herd, but on the contrary, the seals were increasing in numbers in the face of it.

(*b*) He expressed the opinion, with a fine show of earnestness, that the spring catch was peculiarly injurious in its effect upon the herd, and that the two Governments should modify the regulations upon that point by increasing the closed time in the North Pacific and decreasing it in the Bering Sea.

(*c*) He took the ground that it is unfair to make regulations limiting the rights of the pelagic sealer, while no restrictions were placed upon the Government's management of the Pribilof Islands. He contended that not only should the terms of the regulations be made conditional upon the number of seals annually taken upon the islands, but that the carrying out of these regulations should be made contingent upon a formal statement by the United States of its purposes with regard to the management of the islands, for unless such conditions were imposed there was no guarantee that the alleged improprieties on the islands would not be continued, and thus the interests of pelagic sealing suffer.

Sir Richard thought there need be no difficulty in the representatives of the two Governments reaching common ground of agreement as to these suggested changes.

The position (*a*) taken as to the cause of the decadence of the seals is so untenable and so completely refuted by established facts that it would be idle to waste time in considering it.

The pretense (*b*) that the spring catch is peculiarly injurious, and that therefore the closed time should be increased in the North Pacific and correspondingly shortened in Bering Sea, is a most ingenious attempt to weaken the efficiency of the regulations by transferring sealing from the region of least danger to that of the greatest. It forms part and parcel of Canada's purpose, manifested from the beginning, to transfer the pelagic sealing to the focal point—the massing ground of seal life—Bering Sea. The relative degree of injuriousness is clearly shown by a few illustrations.

On page 20 of the little brochure prepared in Paris and entitled Pelagic Sealing in the North Pacific Most Destructive in May and June, is a compilation from the British records, which shows that nineteen Canadian vessels captured in the North Pacific in—

	Seals.
January	28
February	835
March	991
April	1,938
May	8,260
June	1,438

The May and June catch are cut off by the present regulations.

During the three years ending with and including 1891 the Canadian fleet took in five months, in the North Pacific, an average of 567 skins per vessel. With ten vessels less they took in Bering Sea 727 skins per vessel in about two and one-half months.

In 1891 the catch of the Canadian fleet in the North Pacific was a little over 21,000 seals, and before the modus vivendi could be enforced a portion of the fleet sealed from three to five weeks in Bering Sea, and with fewer vessels and fewer small boats they took over 28,000 seals in that time.

When a seal mother is killed in the North Pacific it involves her death and that of her unborn offspring, but as the period of gestation is nearly twelve months, and that of nursing from four to five, the killing of a mother in Bering Sea means that three seal lives pay the penalty.

The claim (*c*) urged, that it would be but just to make the terms an [of ?] execution of the regulations dependent upon the conduct of affairs on the islands, is but a renewal of the attempt made before the Paris Tribunal to exercise a certain control over American territory and minimize the advantages which the United States would receive from its possessions. It will be a long time, even under more favorable conditions than are likely to obtain, before the Pribilof rookeries can contribute a large annual quota; but there is a certain proportion of the young, immature male seals that could with entire safety be taken, and it is not apparent why the United States should be debarred from receiving the income from this source as an offset to the expenditures that will be required to carry out the regulations, to say nothing of the necessity of maintaining the natives on the islands. For four years the United States has had a closed time on the islands, and has submitted itself not only to a loss of revenue, but great expense, in its earnest endeavor to save the seal herd. During that same period pelagic sealing has had full swing, and there is now no good reason why the United States should longer practice self-denial for the benefit of Canadian sealers.

The suggestion that the United States will not properly care for its rookeries in the future is mere pretense. At the last session of Congress I secured the introduction of a clause into the appropriation of the Fish Commission, requiring that Bureau to make an annual inspection of, and to report upon, the condition of the rookeries. This, in addition to the continuous presence of Treasury officials, should surely secure proper management.

There will be no modification offered by Great Britain which will be on the side of increased protection. The general impression given me by Sir Richard's remarks was that England, having won upon the legal points, would now attempt, in the adoption of "concurrent measures," to so modify these regulations that they would bear less heavily upon pelagic sealers.

In conclusion, and aside from the foregoing, I beg leave to add a word as to the general question of the "system of stipulations and measures to be enacted by the two powers," for putting into effect the regulations. As that is a very practical question, before final action is taken upon the contemplated measures, I would earnestly urge that they be submitted to some of the gentlemen here well qualified by experience in the Bering Sea, pelagic sealing, and the practical phases of the question, to pass upon their merits.

Very respectfully,

J. STANLEY BROWN.

No. 18.

Mr. Gresham to Mr. Bayard.

DEPARTMENT OF STATE,
Washington, October 26, 1893.

SIR: I inclose for your information a copy of the contract between the United States and the North American Commercial Company, which enjoys the exclusive right of taking fur seals upon the Pribilof Islands; also extracts from the instructions, dated May 2, 1892, and April 22, 1893, sent to the special agent in charge of the islands, in relation to the number of seals to be taken under the modus vivendi between the United States and Great Britain.

I am, etc.,

W. Q. GRESHAM.

[Inclosure 1 in No. 18.]

Copy of contract between the United States and the North American Commercial Company, under which said company is granted the exclusive right of taking fur seals upon the Pribilof Islands in Alaska.

This indenture, made in duplicate this twelfth day of March, 1890, by and between William Windom, Secretary of the Treasury of the United States, in pursuance of chapter 3 of title 23, Revised Statutes, and the North American Commercial Company, a corporation duly established under the laws of the State of California, and acting by

I. Liebes, its president, in accordance with a resolution of said corporation adopted at a meeting of its board of directors held January 4, 1890:

Witnesseth: That the said Secretary of the Treasury, in consideration of the agreements hereinafter stated, hereby leases to the said North American Commercial Company for a term of twenty years, from the first day of May, 1890, the exclusive right to engage in the business of taking fur seals on the Islands of St. George and St. Paul in the Territory of Alaska, and to send a vessel or vessels to said islands for the skins of such seals.

The said North American Commercial Company, in consideration of the rights secured to it under this lease above stated, on its part covenants and agrees to do the things following, that is to say:

To pay to the Treasurer of the United States each year during the said term of twenty years, as annual rental, the sum of sixty thousand dollars, and in addition thereto agrees to pay the revenue tax, or duty, of two dollars laid upon each fur-seal skin taken and shipped by it from said Islands of St. George and St. Paul, and also to pay to said Treasurer the further sum of seven dollars sixty-two and one-half cents apiece for each and every fur-seal skin taken and shipped from said islands, and also to pay the sum of fifty cents per gallon for each gallon of oil sold by it made from seals that may be taken on said islands during the said period of twenty years, and to secure the prompt payment of the sixty thousand dollars rental above referred to, the said company agrees to deposit with the Secretary of the Treasury bonds of the United States to the amount of fifty thousand dollars, face value, to be held as a guarantee for the annual payment of said sixty thousand dollars rental, the interest thereon when due to be collected and paid to the North American Commercial Company, provided the said company is not in default of payment of any part of the said sixty thousand dollars rental.

That it will furnish to the native inhabitants of said Islands of St. George and St. Paul annually such quantity or number of dried salmon, and such quantity of salt and such number of salt barrels for preserving their necessary supply of meat as the Secretary of the Treasury shall from time to time determine.

That it will also furnish to the said inhabitants eighty tons of coal annually, and a sufficient number of comfortable dwellings in which said native inhabitants may reside; and will keep said dwellings in proper repair; and will also provide and keep in repair such suitable schoolhouses as may be necessary, and will establish and maintain during eight months of each year proper schools for the education of the children on said islands; the same to be taught by competent teachers, who shall be paid by the company a fair compensation, all to the satisfaction of the Secretary of the Treasury; and will also provide and maintain a suitable house for religious worship; and will also provide a competent physician or physicians, and necessary and proper medicines and medical supplies; and will also provide the necessaries of life for the widows and orphans and aged and infirm inhabitants of said islands who are unable to provide for themselves; all of which foregoing agreements will be done and performed by the said company free of all costs and charges to said native inhabitants of said islands or to the United States.

The annual rental, together with all other payments to the United States, provided for in this lease, shall be made and paid on or before the first day of April of each and every year during the existence of this lease, beginning with the first day of April, 1891.

The said company further agrees to employ the native inhabitants of said islands to perform such labor upon the islands as they are fitted to perform, and to pay therefor a fair and just compensation, such as may be fixed by the Secretary of the Treasury; and also agrees to contribute, as far as in its power, all reasonable efforts to secure the comfort, health, education, and promote the morals and civilization of said native inhabitants.

The said company also agrees faithfully to obey and abide by all rules and regulations that the Secretary of the Treasury has heretofore or may hereafter establish or make in pursuance of law concerning the taking of seals on said islands, and concerning the comfort, morals, and other interests of said inhabitants, and all matters pertaining to said islands and the taking of seals within the possession of the United States. It also agrees to obey and abide by any restrictions or limitations upon the right to kill seals that the Secretary of the Treasury shall judge necessary, under the law, for the preservation of the seal fisheries of the United States; and it agrees that it will not kill, or permit to be killed, so far as it can prevent, in any year a greater number of seals than is authorized by the Secretary of the Treasury.

The said company further agrees that it will not permit any of its agents to keep, sell, give, or dispose of any distilled spirits or spirituous liquors or opium on either of said islands or the waters adjacent thereto to any of the native inhabitants of said islands, such person not being a physician and furnishing the same for use as a medicine.

It is understood and agreed that the number of fur seals to be taken and killed for their skins upon said islands by the North American Commercial Company during the year ending May 1st, 1891, shall not exceed sixty thousand.

The Secretary of the Treasury reserves the right to terminate this lease and all rights of the North American Commercial Company under the same at any time on full and satisfactory proof that the said company has violated any of the provisions and agreements of this lease, or in any of the laws of the United States, or any Treasury regulation respecting the taking of fur seals or concerning the Islands of St. George and St. Paul or the inhabitants thereof.

In witness whereof, the parties hereto have set their hands and seals the day and year above written.

WILLIAM WINDOM,
Secretary of the Treasury.

NORTH AMERICAN COMMERCIAL COMPANY.
By I. LIEBES,
President of the North American Commercial Company.

{ North American Commercial Company, incorporated December, 1889. }

Attest:
H. B. PARSONS, *Assistant Secretary.*

[Inclosure 2, in No. 18.]

Treasury instructions to agents in charge of Seal Islands.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., May 2, 1892.

[Extract.]

SIR: As already advised by telegram, you will proceed at once to the Seal Islands as "Treasury agent in charge," taking passage for that purpose either on the U. S. revenue steamer *Bear*, which leaves Port Townsend on or about May 7, or the Alaska Commercial Company's steamer *Bertha*, which leaves San Francisco about the same date.

Upon your arrival at the islands you will assume charge of the interests and property of the Government, and as its representative you will see to it that the authority with which you are invested is respected in all quarters.

* * * * * * *

Modus vivendi.—You will find inclosed a copy of the modus vivendi between the United States and Great Britain, which you will see goes into force May 1, 1892, and continues while the arbitration is pending, unless otherwise provided for after October 31, 1893.

Foreign agents.—You will observe that the modus (Art. IV) permits the landing on the islands of British agents. In accordance with the international agreement you will permit such duly accredited persons to land for the purposes indicated in the modus.

Your attention is called to the unfortunate representations made to Lord Salisbury last year by the British commissioners. Their statements concerning the alleged violation of the modus in the matter of seal killing were based upon their misinterpretation of the terms of the modus and their misunderstanding of the facts. Especial effort should be made, therefore, to present with exceeding clearness any fact that you may deem necessary or proper to communicate to any British official visiting either island. All affidavits obtained by such agents from the natives or other persons on the island must be taken in the presence of a Government officer, and the foreign agents must conform to such rules of conduct concerning the rookeries as are required of citizens of the United States.

Seal quota.—It is essential to the carrying out of the modus that all seals taken for their skins be killed under the direction of the Government agent. No quota has therefore been assigned the North American Commercial Company. As the limit to be killed for all purposes during the season of 1892 is fixed by international agreement at 7,500, you will so adjust the killing as to provide for a fresh-meat supply for the natives throughout the season. As under the terms of the lease all skins taken will ultimately be turned over to the North American Commercial Company, you will confer with the agent of the lessees as to the kind of skins desired, and request his cooperation in selecting them.

The number of seals to be killed on each island will be in about the proportion of former years, unless, in your judgment, there should be made some modification of the ratio.

Killing season.—The killing season will begin as soon after your arrival as in your judgment the rookeries are in proper condition for driving, and the period for taking seals is left entirely to your discretion, with the exception that no seals are to be taken during the stagy season, which embraces the time between August 10 and September 30.

Driving of seals.—As the perpetuation of seal life has always been and is now the paramount concern of the Government, and is also of the greatest interest to all persons connected with the seal industry, you will take especial care that no methods are permitted in the driving, killing, or general handling of the seals which in your opinion would directly or remotely be injurious to them or in any way jeopardize even in the slightest degree the increase of the seal herd.

Killing of pups.—It was the custom in former years to permit the killing in the fall of a certain number of young seals for the natives' food and clothing. As the skins are not now used for the latter purpose, and as the carcass furnishes not more than 8 pounds of meat when dressed, the value of the food supply thus contributed is not commensurate with the destructive effect which the killing of pups has upon the seal herd. No killing of pups during the coming year will therefore be permitted.

* * * * * * *

Respectfully, yours,

CHARLES FOSTER, *Secretary.*

Maj. W. H. WILLIAMS,
United States Treasury Agent.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., April 26, 1893.

[Extract.]

SIR: Having been appointed Treasury agent in charge of the Seal Islands in Alaska, you are directed to proceed to San Francisco, Cal., so as to arrive there as early as the 10th proximo, and to take passage on the first available conveyance to the islands.

* * * * * * *

Copy of the modus vivendi between the United States and Great Britain is also inclosed for your information, which you will observe continues in force pending the arbitration of the Bering Sea question, unless otherwise provided for after October 31, 1893.

In accordance with the provisions of the modus vivendi the number of seals to be taken during the season of 1893 will be limited to 7,500. In taking this number you will permit no seals to be killed except those yielding good merchantable skins. The killing of pup seals for food for the natives or any purpose will not be permitted.

The killing season will begin as soon after your arrival as in your judgment the rookeries are in proper condition for driving, and the time for taking seals is left to your discretion, with the exception that no seals are to be taken during the stagy period, which is understood to be the period between the 10th of August and the 30th of September. It is believed that if the killing should be confined between the 1st of June and the 10th of August a better quality of skins would be obtained, and less injury would be done to the rookeries. This matter is, however, left, as above stated, to your discretion, and in reference thereto you will confer fully with the representative of the company, its interests and those of the Government in the preservation of the fur seal industry being indentical.

* * * * * * *

Respectfully, yours,

C. S. HAMLIN, *Acting Secretary.*

Mr. JOSEPH B. CROWLEY,
Special Agent in Charge of Seal Islands,
Washington, D. C.

No. 19.

Mr. Gresham to Mr. Bayard.

DEPARTMENT OF STATE,
Washington, October 27, 1893.

SIR: I have the honor to acknowledge your dispatch of the 30th ultimo, in which you state that, on Lord Rosebery's return to London from Balmoral, you will continue your efforts for adequate and concurrent action on the award of the Paris Tribunal. You also say:

> To suspend wholly, even for a single year, the seal catch on the islands might be highly prejudicial to the United States or their lessees, and, as in the provisional or temporary arrangement of May, 1893, between Russia and Great Britain, a limit of 30,000 seals on the Russian islands was agreed to, it would seem a very reasonable figure to adopt for the catch on the Pribilof Islands, whose product has been supposed to be about double that of the Russian islands. I would respectfully ask for an expression of your views on this subject, and how far we ought to go in restricting the seal catch on these islands.

I sent you yesterday copy of the contract which secures to the North American Commercial Company the exclusive right to take seal on the Pribilof Islands, thinking it advisable that you should know the precise relations between the United States and that company. The President is not now prepared to say how far we ought to go in limiting the seal catch should Great Britain make a demand of that kind. You are well informed on the subject of the seal industry and all matters relating to it, and we rely with confidence upon your judgment in dealing with Lord Rosebery. If Great Britain firmly insists that only a limited number of seals shall be taken on the islands, and you must yield or fail in the effort to obtain a satisfactory understanding for concurrent action, you can report the fact to me, and I will communicate it to the President for his direction.

I have no doubt you will be impressed by the reply of the Japanese minister when I asked him, in an informal conversation, if his Government was willing to give its adhesion to the regulations recommended by the arbitrators. You have the substance of that conversation in my instructions of the 24th instant. I must say that the position of Japan seems to be reasonable. An agreement between the United States, Great Britain, Russia, and Japan, of the character suggested by the minister of the latter country, for the protection of the seal north of a line reaching from California to Japan, along the thirty-fifth degree of north latitude, would likely be respected by other powers. It is very important that the two Governments should come to an understanding which will secure the desired result before the next sealing season begins, and it is not doubted here that you are striving to accomplish that end.

The Russian minister told me a day or two ago that, when informed of the means adopted by the United States and Great Britain to give practical effect to the regulations, his Government would without delay determine whether or not it could give its adhesion, as requested. It may be that other powers will not be willing to be bound by the regulations recommended by the tribunal without knowing what means will be employed by the two Governments for their enforcement.

I am, etc.,

W. Q. GRESHAM.

No. 20.

Mr. Bayard to Mr. Gresham.

EMBASSY OF THE UNITED STATES,
London, November 1, 1893. (Received November 11.)

SIR: I have the honor to state that, pursuant to your directions, the copies of the protocols of the arbitration in the Bering Sea question have just been sent to me from the embassy of the United States at Paris.

The oral arguments of counsel, save and except that of James C. Carter, esq., have not yet been published, as I am as yet informed, and I would like to receive them as soon as they are in print.

As attendant upon framing legislation and coming to an international agreement to carry out the decisions and recommendations of the Paris Tribunal in their award upon the business of fur-seal fishing in Bering Sea, I have also the honor to inclose herewith a copy of a telegram which appeared yesterday in the London newspapers, which indicates the extent to which "pelagic" sealing was carried on in the present season, and likewise suggests a method by which it is proposed to evade the duties and obligations imposed by the treaty and the award of the arbitrators, only upon the Governments of the United States and Great Britain, leaving depredation upon seal life under other flags not only unchecked, but in effect affirmatively legalized by the text of the award and decisions.

Up to this date "pelagic" sealing has been carried on only under the flags of Great Britain and the United States, but what may be done under the flags of other nationalities hereafter can not be definitely anticipated. Therefore, as at present instructed, and in anticipation of cooperative penal enactments by the United States and Great Britain against killing seal in the sea, in violation of the award, it would seem highly expedient to caution the Governments of Japan and Korea, as well as the Sandwich Islands, against attempts which may be made to carry on under their flags, fur seal fishing, contrary to the letter and intent of the Paris decision and recommendations. In this connection I take leave to remark that the avowed reason for the contention against pelagic sealing on the part of the United States has always been the preservation of the seal species for the use of civilized mankind, and the gist of the argument against killing seal in the water has been the impossibility of discrimination between sexes and ages, as well as the insecurity of capture of a large proportion of the seals when so killed.

This rule is not local, but necessarily applies to the fur-seal species everywhere; so that the Government of the United States, in order to be consistent, should be prepared to show its unwillingness to kill seal in the water anywhere, and at all seasons; that is to say, "pelagic" sealing is destructive to the species, and it is only on land that proper discrimination can be exercised.

Therefore, in asking the adhesion of other nations to the regulations prescribed, and recommendations suggested by the arbitrators at Paris, as is stipulated by Article VII of the treaty of February 1892, between the United States and Great Britain, the United States should be prepared to extend the proposed rules into those regions of the high seas adjacent to the sealing islands and sealing resorts of other nations.

The interests of Russia and Japan are almost identical with those of the United States, and what is desirable for one is so alike to all. Each of these powers possesses territory to which the fur seal resort when breeding, and equally with the United States need protective regulation.

I venture therefore, to submit to your judgment the advisability of instructing the representatives of the United States in Japan, Korea, and the Sandwich Islands, to intimate confidentially to those Governments the present condition of affairs, and that the United States and Great Britain are about unitedly to enforce protective measures, by the establishment of a zone of interdiction around the Pribilof group, and a close season from May 1, to July 31, in the Pacific Ocean north of the thirty-fifth degree of north latitude and invite their adhesion to the regulations proposed by the award as published.

You will observe that I have not referred to the fact that, by article 2, of the Paris award, the water boundary described in article 1, of the treaty of 1867 (Alaskan purchase), between the United States and Russia, is the limit in Bering Sea within which the interdiction is to be enforced, but it seems very clear that justice and self-consistency demand of the United States that this interdiction against killing seal at sea would extend to all waters, including those adjacent to the territorial possessions of other countries, and to which the seal resort. Russia and Japan are the two nations territorially interested, and the Sandwich Islands and Korea can justly be appealed to not to allow their flags to be used for purposes unfriendly to the United States.

Of course by the treaty of February, 1892 (Article VII), Great Britain is bound to cooperate with the United States in securing adhesion to the regulations, and it is assumed that of course (it) will do so.

And at the proper time, and in such mode as may be deemed most advisable, such cooperation will be claimed by the United States; but at the present writing the point I desire to make is the word of friendly notification and caution to Japan, Korea, and the Sandwich Islands, lest the use of their flags might be obtained by the solicitation of fur-seal hunters from the United States or Great Britain and her colonies.

The interests of Russia are so entirely similar to those of the United States and so involved in a similar fate that I can not imagine any such warning would be requisite in that quarter.

The participation of Sweden and Norway, France and Italy in the composition of the Paris Tribunal and framing its decrees would seem to render it impossible that those Governments would permit their flags to be used as a cover of depredations against the interests which they themselves had so benevolently adjudicated. So that I think all that need be done in the light of the enormous extent of pelagic sealing during the current year, as shown by the inclosed telegram, and the suggestion of a transfer of the sealing fleet to Japanese waters, and possibly under the Japanese flag, will be a notification and warning by our representative to that Government of the possibility of such attempt and the necessity of preventing its success. You may possibly think it worth while, informally, and in conversation at Washington, to broach the subject to the Japanese minister.

I shall proceed as speedily as possibly in the duty assigned me of coming to such an agreement of cooperation with Her Majesty's Government as will give efficient force to the award of the Paris Tribunal.

I have the honor, etc.,

T. F. BAYARD.

[Inclosure in No. 20.—Press telegram.]

THE BERING SEA FISHERIES,
Victoria, British Columbia, October 25.

The British Columbia sealing catch, including the take of two American vessels, amounts to 70,000 skins. Many of the schooners will go to Japan next season, about half their number setting out before Christmas. It is stated that some of these vessels are likely to transfer their allegiance to another flag.

No. 21.

Mr. Bayard to Mr. Gresham.

EMBASSY OF THE UNITED STATES,
London, November 11, 1893. (Received November 20.)

SIR: Referring to my dispatch of November 1, I have now the honor to acknowledge your several instructions of October 18, 24, 26, and 27, all having relation to the fur-seal fishery in Bering Sea, and all of which have been perused with great interest.

My dispatch above referred to was mailed just in advance of the arrival of the several instructions above alluded to, but it gave me no little satisfaction to discover that the expression of views I had the honor of submitting therein to you were quite in line with your own, and that in fact you had anticipated certain suggestions I had made therein.

It was quite important for me to possess copies of the contracts of the United States with the lessees of the Pribilof group, and also copies of the Treasury instructions, in 1890 and 1892, to the general and special agents in charge of the Seal Islands.

The report of your conversations with the representatives of Japan, Russia, and Great Britain is impressive and valuable, and I quite concur in the views, as conveyed, of the President and yourself as to the necessity for a general plan of international arrangement in order to give substantial efficacy and value to the regulations and recommendations of the Tribunal of Arbitration.

I venture to draw your attention to the terms of these Treasury Department instructions relating to the number of seal (7,500) which may be taken on the islands under the modus vivendi, which continued in force "pending the arbitration of the Bering Sea question, unless otherwise provided for after October 31, 1893."

The arbitration having now closed, and a decision having been reached, there does not appear to be any provision whatever now in force limiting the number of seals which may be taken on the Seal

Islands of the United States; but by the contract of March 12, 1890, between the United States and the North American Commercial Company it is expressly stipulated that during the year ending May 1, 1891, "the number of fur seals to be taken and killed for their skins shall not exceed 60,000."

With this exception, as to the single year 1891, the Secretary of the Treasury is vested with sole discretion and authority to impose restrictions or limitations upon the seal catch on these islands.

I assume that the Secretary of the Treasury will not fix the number of seals which may be taken in the islands during the next season until the desired international arrangement shall have been made.

May I ask to have obtained for me, at the Treasury Department, a summarized statement of the number of seals taken in the Pribilof Islands in each year since 1871.

I suppose no seals have at any time been taken by the lessees of the United States, excepting on those islands, and that no other leases or licenses were ever granted by the United States for sealing elsewhere.

The fact, however, might as well be stated authoritatively by the Treasury Department in connection with the number of seals taken annually since 1871.

I have, etc., T. F. BAYARD.

No. 22.

Mr. Gresham to Mr. Bayard.

[Telegram.]

DEPARTMENT OF STATE,
Washington, November 17, 1893.

The President is anxious that an agreement should speedily be reached for carrying out the decision and recommendations of the Paris Tribunal. If Lord Rosebery has met you in a proper spirit we do not doubt results. Are you hopeful?

No. 23.

Mr. Bayard to Mr. Gresham.

[Telegram.]

LONDON, *November 18, 1893.*

Assure President commencement formal negotiations hitherto prevented by circumstances beyond my control. Secretary of state for foreign affairs just returned. Shall proceed promptly as possible. Good reason to expect efficient cooperation.

No. 24.

Mr. Gresham to Mr. Bayard.

DEPARTMENT OF STATE,
Washington, November 20, 1893.

SIR: I have received and considered your dispatch of the 1st instant, relative to the necessity of obtaining the adhesion and cooperation of other nations, and notably of Japan, Hawaii, Korea, and Russia, to the award and regulations submitted by the Paris Tribunal of Arbitration.

My instructions of the 24th ultimo, which you had apparently not received at the date of writing, anticipates to some extent specific response to your suggestions, at least so far as showing the desire of Japan to become a party to some protective arrangement embracing the entire waters above the thirty-fifth degree of north latitude and between the American and Japanese coasts.

As you remark, the interests of Russia, like those of Japan, are almost identical with those of the United States—what is desirable for one being alike so for all. The concurrence of Russia in any appropriate scheme of protection by the United States and Great Britain may reasonably be expected, and the concurrence of Japan is promised if all the waters above the thirty-fifth degree of north latitude be protected.

The exigencies of the case, however, preclude any delay in reaching the necessary arrangements between the United States and Great Britain as the two parties primarily interested in giving immediate and positive effect to the award and proposals of the Paris Tribunal; and the negotiations to that end should not be made dependent on the acquiescence of other powers.

The President does not doubt that you will press with all urgency negotiations for an agreement upon measures which will be efficient in carrying out the submitted regulations. This is of primary importance.

I am, etc.,

W. Q. GRESHAM.

No. 25.

Mr. Gresham to Mr. Bayard.

DEPARTMENT OF STATE,
Washington, November 21, 1893.

SIR: I received late yesterday your dispatch of November 11, and at once addressed a letter to the Secretary of the Treasury requesting the information called for. It may take a few days to make up a statement which will be satisfactory, but it will be forwarded to you as soon as it is received.

I inclose copy of a note received yesterday from the Japanese minister at this capital.* It will gratify you, no doubt, to know that the Japanese Government is willing to give its adhesion to the regulations recommended by the Paris Tribunal of Arbitration on the condition named.

The President thinks it important that Great Britain and the United States should come to an understanding which will make the regulations practically effective before beginning negotiations for an international agreement between those Governments, Russia and Japan, for the protection of fur seals in the Pacific Ocean north of the thirty-fifth degree of north latitude.

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* Not printed.

Your dispatch, by telegraph, of the 18th, indicated your belief that Great Britain was meeting you in a proper spirit in your negotiations. This is very encouraging as it is important that an agreement should speedily be reached and announced.

On a visit to the Department yesterday the British ambassador expressed the hope that you and Lord Rosebery would speedily agree upon concurrent action for the protection of the waters embraced within the reported regulations, and that negotiations would immediately follow for an international agreement of the character suggested between the four powers.

I am, etc.,
W. Q. GRESHAM.

No. 26.

Mr. Gresham to Mr. Dun.

[Telegram.]

DEPARTMENT OF STATE,
Washington, November 22, 1893.

It is reported that American and Canadian seal fishery vessels may be placed under the Japanese flag next season. Comity will naturally counsel Japanese Government to defeat any such attempted abuse of friendly flag to evade results of Paris Arbitration.

No. 27.

Mr. Bayard to Mr. Gresham.

[Telegram.]

LONDON, *November 23, 1893.*

Secretary of state for foreign affairs has presented impressive reasons for not withdrawing seal fishery negotiations from British ambassador at Washington. Satisfactory explanation by cable impracticable. Will communicate immediately.

No. 28.

Mr. Uhl to Mr. Bayard.

DEPARTMENT OF STATE,
Washington, November 24, 1893.

SIR: Referring to the Department's reply of the 21st of this month to your dispatch of the 11th instant, relative to the Bering Sea seal question, I enclose for your information a copy of a letter from the Acting Secretary of the Treasury, furnishing the information requested by you regarding the number of seals taken on the Pribilof Islands.

I am, etc.,
EDWIN F. UHL, *Acting Secretary.*

[Inclosure in No. 28.]

Mr. Curtis to Mr. Gresham.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., November 22, 1893.

SIR: I have the honor to acknowledge the receipt of your communication of the 21st instant, wherein request is made for certain information regarding the number of seals taken on the Pribilof Islands, and in reply to inclose herewith a statement showing the number of seals killed on the islands of St. Paul and St. George, for all purposes, from 1870 to 1892, both inclusive. Seals have not been taken by the lessees elsewhere than on the islands of St. Paul and St. George, and no other companies than the North American Commercial Company and its predecessor, as lessees of the islands (the Alaska Commercial Company), have been granted licenses or leases by the United States for sealing on the islands or elsewhere.

With reference to the number of seals taken in 1891 and to note 2 on the inclosed statement, I refer you for full information on the subject to the report of Special Agent W. H. Williams, dated October 10, 1891, a printed copy of which is herewith inclosed.

Respectfully, yours,

W. E. CURTIS, *Acting Secretary.*

Number of fur seals killed on islands of St. Paul and St. George, Alaska, for all purposes from 1870 to 1892, both inclusive.

Year.	Killed on St. Paul.	Killed on St. George.	Total killed on both islands.
1870	15,314	8,459	23,773
1871	81,803	21,157	102,960
1872	81,819	27,000	108,819
1873	81,987	27,190	109,177
1874	98,139	12.446	110,585
1875	94.960	11,500	106,460
1876	83,157	11.500	94,657
1877	67,810	16.500	84.310
1878	88.519	20.804	109,323
1879	80,321	22,190	110,511
1880	84.779	20,939	105,718
1881	83,774	21,289	105,063
1882	79,834	19,978	99,812
1883	63,295	16,214	79,509
1884	88.861	16.573	105,434
1885	88,880	16,144	105,024
1886	88,085	16.436	104.521
1887	89,092	16,668	105,760
1888	86.270	17,034	103,304
1889	87,392	15,225	102,617
1890			21,000
1891			13,482
1892			7.549
Total	1.622,091	355,246	2,019,368

NOTE 1.—The above statement for 1870 to 1889, both inclusive, includes all seals killed from all causes, either intentional or accidental, incident to the taking of sealskins on the two islands. The statement for 1890, 1891, and 1892, represents only those skins taken and which were received by the company as part of their quota. The stagy or defective skins are not included in 1890, 1891, and 1892.

NOTE 2.—The total for 1891 is made up as follows: 7,215 skins taken prior to signing of modus vivendi and issuance of President's proclamation. The remainder, 6.267, were taken after signing of modus as part of the 7.500 allowed them under the agreement.

No. 29.

Mr. Dun to Mr. Gresham.

[Telegram.]

TOKYO, *November 27, 1893.*

Japanese Government agrees to take measures to prevent foreign vessels using the flag of Japan to evade seal fisheries regulations, but declines to require bona fide Japanese vessels to observe regulations unless protection asked for should be given Japanese seal fisheries.

No. 30.

Mr. Dun to Mr. Gresham.

LEGATION OF THE UNITED STATES,
Tokyo, Japan, December 1, 1893.

SIR: On the 24th ultimo, the day following the receipt of your telegraphic instruction dated November 22, 1893, I sought an interview with Mr. Mutsu, His Imperial Japanese Majesty's minister for foreign affairs.

Owing to the illness of Mr. Mutsu, I was received by Mr. Tadasu Hayashi, vice-minister of foreign affairs, to whom I communicated the reading of your telegram and expressed the hope that Japan, in the spirit of friendship that has always governed the relations between the two countries, would meet the wishes of my Government in respect of requiring the observance by vessels flying the Japanese flag of the regulations proposed by the Paris Tribunal.

I said to Mr. Hayashi that this action on the part of Japan would not in my opinion, weaken her claim for protection for her own seal fisheries; that the regulations of the Paris Tribunal could not be extended to the waters near the Japanese islands except by special arrangements between Japan and foreign powers; that, although I was not authorized to say what position my Government would take in the premises, I felt confident that the United States was favorably disposed to meet Japan's wishes in regard to reasonable proposals for the protection of her seal fisheries; but that however well disposed the other great powers might be toward Japan's proposals for the extension of the principle of protection to her seal fisheries, it would necessarily take time to complete the negotiations and determine upon a reasonable zone within which that principle should apply; that in the meantime the regulations of the Paris Tribunal of Arbitration had been announced to the world and it was the intention of the United States and Great Britain to put them into operation next season; that Japan was invited, as a matter of comity and good neighborhood, to adhere to those regulations in order that her flag might not be used to evade them.

I also pointed out to Mr. Hayashi that Japan had not yet submitted to the United States and Great Britain definite proposals for the protection of her seal fisheries; that no zone had been defined within which the taking of seal should be prohibited; that the Paris Tribunal having completed its labors, any arrangement that might hereafter be made for the protection of Japan's seal fisheries must be separate and distinct from the finding of that body; and that such being the case, it appeared to me to be hardly in accord with Japan's well-deserved reputation for fairness that she should make her adhesion to the regulations formulated by an international tribunal of arbitration, for the protection of an American interest, conditional upon the favorable reception by several foreign powers of her proposals not yet sufficiently matured to admit of definite consideration.

At the close of our first interview, Mr. Hayashi said he could not say what action his Government would take in the matter until he had consulted with Mr. Mutsu.

On the 26th ultimo Mr. Hayashi called at this legation and informed me that he was authorized by the minister for foreign affairs to say that the Japanese Government would do everything in its power to prevent the use of the Japanese flag by foreign sailing vessels to evade the regulations of the Paris Tribunal, but that it could not, pending present negotiations, issue an ordinance requiring bona fide Japanese vessels to observe them unless the proposals submitted to the United States and Great Britain for the protection of Japanese interests in the same direction were favorably entertained.

On the 27th ultimo I had the honor to convey to you the substance of this response from the Japanese Government in a telegram.

As a matter of fact, bona fide Japanese vessels have not heretofore been engaged in hunting fur seal beyond the immediate waters of the northern islands of Japan, and the fear of disastrous consequences will, doubtless, prevent this class of vessels extending their operations hereafter to waters where the regulations of the Paris Tribunal apply.

I have, etc.,

EDWIN DUN.

No. 31.

Mr. Gresham to Mr. Bayard.

[Telegram.]

DEPARTMENT OF STATE,
Washington, December 4, 1893.

You will inform Lord Rosebery that, yielding to his desire, this Government consents further negotiations for making the award of the Paris Tribunal effective shall be conducted here with the British ambassador. While your generous offer to visit Washington and aid us is appreciated, the President will not impose the burden upon you.

No. 32.

Mr. Gresham to Mr. Tateno.

DEPARTMENT OF STATE,
Washington, December 5, 1893.

SIR: I have the honor to acknowledge the receipt of your note of the 20th ultimo,[*] in which you allude to the former correspondence looking to the participation of Japan with the United States, Great Britain, and other powers in an international agreement for the protection of fur seals in Bering Sea. In the course of your note you say, by direction of your Government, "that Japan is prepared to become a party to the agreement or regulations for the protection of fur seals, made in pursuance of the Bering Sea award, and to enter upon formal negotiations for that purpose at such time and in such manner as may be deemed suitable." You intimate that as a condition to such future adherence to the agreement or regulations to be made in pursuance of the award, Japan would ask that they "shall be extended to the northernmost portion of the island of Yesso and to the Kurile Islands."

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[*] Not printed.

The President is much gratified at the cordial disposition of His Majesty's Government, as elicited by the preliminary inquiry to which your note adverts. The award of the Tribunal of Arbitration at Paris contemplates that the adhesion of other powers to the regulations reported by that high body shall be invited by the parties to the arbitration, and the President is happy to believe that the result of the pending negotiations between the United States and Great Britain for the application of the regulations so reported will be such as to permit the friendly concurrence of other powers toward the common interest involved in the protection of seal life, when formally invited by the two parties.

Accept, etc., W. Q. GRESHAM.

No. 33.

Mr. Dun to Mr. Gresham.

LEGATION OF THE UNITED STATES,
Tokyo, Japan, December 13, 1893.

SIR: I have the honor to inclose herewith translation copies of instructions issued by the department for foreign affairs and the department of communications, respectively, to Japanese consuls at San Francisco, Vancouver, and other foreign ports, and to the proper authorities on the seacoast of Japan, to prevent the use of the Japanese flag by foreign vessels for the purpose of evading the regulations of the Paris Tribunal for the protection of fur seal in Bering Sea.

I have, etc.,

EDWIN DUN.

[Inclosure 1 in No. 33.—Translation.]

Caution concerning the granting of temporary certificates of registration.

DEPARTMENT OF FOREIGN AFFAIRS,
Tokyo, December 1, 1893.

To the Consuls at San Francisco, Vancouver, Tientsin, Shanghai, Hongkong, Singapore, Fusan, Ninsen, Korsakoff, and the Commercial Agent at Vladivostock:

Having recently heard that there are certain foreigners abroad who, with the object of carrying on illicit fishing, attempt to make use of the names of Japanese in the sale and purchase of vessels and the transfer of registration of the same to Japan through the recognition at the imperial consulates, and thereupon to proceed directly to the various localities in pursuit of such purpose, you are instructed in the issuance of temporary certificates of registration of vessels to act in the matter with strict caution, so that no certificates shall be granted to parties carrying on such dishonourable business.

HAYASHI TADASU,
Vice-Minister.

[Inclosure 2 in No. 33.—Translation.]

DEPARTMENT OF COMMUNICATIONS,
Tokyo, December , 1893.

To the Governors of Territories, Imperial Municipalities, and Prefecture upon the Seaboard:

I am instructed to inform you that an agreement has been concluded between Great Britain and the United States concerning fishing in Bering Sea, and that report has reached here that since Japan is not a party thereto, and not bound thereby, some attempts were likely to be made to have vessels belonging to nationals of both countries registered under the names of Japanese and fly the Japanese flag for the purpose of following the pursuit of fishing in Bering Sea.

As the control of fishing by the different countries has become strict, no doubt these designing schemes are contrived to evade the law. In cases, therefore, of the purchase of foreign vessels, if the transfer of registration is requested, you are, upon strict examination, to act in the matter so that no such malfeasance as the above may arise.

SAITO HIDE-AKI,
Chief of the Marine Bureau.

No. 34.

Mr. Bayard to Mr. Gresham.

EMBASSY OF THE UNITED STATES,
London, December 30, 1893. (Received January 9, 1894.)

SIR: Immediately upon receiving your telegraphic instruction to the effect that, yielding to the desire of Her Majesty's Government, the Government of the United States consented to conduct the requisite negotiations at Washington, I addressed a note to Lord Rosebery under date of December 5 and on the 11th received his lordship's reply thereto, and I inclose herewith copies of this correspondence.

Continued reflection upon the situation serves to confirm the opinion I have already had the honor to submit to you—that an agreement that would bind Great Britain (and especially her North American subjects) to a faithful fulfillment of the regulations prescribed by the tribunal at Paris—would under existing circumstances be accomplished with less delay and more conclusively and satisfactorily at Washington than in London.

I have, etc., T. F. BAYARD.

[Inclosure 1 in No. 34.]

Mr. Bayard to Lord Rosebery.

EMBASSY OF THE UNITED STATES,
London, December 5, 1893.

MY LORD: Upon receiving your note of November 21, I at once cabled its purport to my Government, and stated at length in a dispatch, your reasons for desiring Sir Julian Pauncefote, the British ambassador, to continue at Washington his connection with the Bering Sea negotiations, and assist in the concluding cooperative action of the two Governments to carry into full effect the treaty of February 29, 1892, the award of the Tribunal of Arbitration at Paris, and the regulations prescribed by that body for the conduct of fur-seal fishing in the waters of Bering Sea and the North Pacific Ocean.

I have now the honor to inform you that I have to-day received by cable from the Secretary of State an instruction to make known to you, that, yielding to your lordship's desire as expressed in conversation and in your note of November 21, the President consents that the negotiations needful to give effect to the decisions of the Tribunal of Arbitration shall be conducted at Washington, and that Her Majesty's Government shall be represented therein by Sir Julian Pauncefote.

Your Lordship will, I am sure, appreciate this evidence on the part of the President to facilitate in every way the accomplishment of the duty yet remaining to be performed by the two Governments, of promptly and thoroughly carrying into effect the decisions of the Tribunal of Arbitration, and the mutual covenant of the two Governments to cooperate in securing the adhesion of other powers to the regulations imposed by the arbitrators.

The rapidly shortening interval before the next sealing season will commence admonishes both Governments entrusted with the duty to expedite the negotiations, and enact, respectively, the legislation needed to execute the decisions of the tribunal, and I shall await with interest your Lordship's communication that Her Majesty's ambassador at Washington has been duly empowered and instructed in the premises.

I have, etc.,

T. F. BAYARD.

[Inclosure 2 in No. 34.]

Lord Rosebery to Mr. Bayard.

FOREIGN OFFICE,
December 11, 1893.

YOUR EXCELLENCY: I have had the honor to receive your note of the 5th instant, stating that your Government had consented that the negotiations for giving effect to the decisions of the Bering Sea Arbitration Tribunal should be conducted at Washington by Sir Julian Pauncefote.

Upon the receipt of your excellency's note, I at once instructed Her Majesty's representative by telegraph to express my acknowledgments to the United States Government for their courteous acquiescence in the views of Her Majesty's Government on this subject, and I avail myself of this opportunity to ask your excellency to accept my best thanks for the trouble which you have also taken in this matter.

I beg to assure you that no time shall be lost in issuing the requisite instructions to Sir Julian Pauncefote with regard to the negotiations.

I have, etc.,

ROSEBERY.

No. 35.

Memorandum, British Embassy.

JANUARY 4, 1894.

The existing British legislation does not cover the area to which the regulations prescribed by the award apply.

A draft bill is now being prepared to enforce the provisions of the award, but Her Majesty's Government consider that unless some international agreement can be produced to justify the insertion of fresh provisions, the bill in question must be strictly limited to the terms of the award.

Her Majesty's Government are anxious in the first place to know what action the United States Government are prepared to take respecting the declarations of the arbitrators, which were appended to the award. They consider recommendation No. 1 as specially important, as it will probably affect the accession of other powers to any agreement that may be arrived at.

The Japanese Government have expressed a desire to take part in the discussions respecting the regulations, in order that a general scheme, applicable also to Russian and Japanese waters, may be prepared. Her Majesty's Government would be glad to know whether the United States Government would be disposed to invite the Russian and Japanese Governments to take part in such a discussion at once.

Her Majesty's Government could not consent to the unconditional application of the provisions of the award to other waters than those specified by the arbitrators, but they would be willing to discuss any modifications which would allow of the provisions being so applied.

The Earl of Rosebery considers it necessary that Her Majesty's representative at Washington should be assisted by a delegate from Canada, and thinks it desirable that such a delegate should be accredited as a negotiator. His lordship adds that it is of great importance that Her Majesty's Government and the Government of the United States should exchange drafts of the proposed legislation on each side with as little delay as possible.

J. P.

No. 36.

Mr. Gresham to Mr. Bayard.

[Telegram].

DEPARTMENT OF STATE,
Washington, January 6, 1894.

British ambassador still urges United States agree that a Canadian shall be admitted as negotiator for concurrent action to make regulations reported by Paris Tribunal effective. It is the President's desire that you inform Lord Rosebery this Government will treat with the Imperial Government only.

No. 37.

Mr. Bayard to Mr. Gresham.

[Telegram.]

LONDON, *January 8, 1894.*

Minister for foreign affairs agrees British ambassador, Washington, negotiate execution of award alone without Canadian colleague.

No. 38.

Mr. White to Mr. Gresham.

[Telegram.]

LEGATION OF THE UNITED STATES,
Petersburg, January 10, 1894. (Received January 11.)

Russian minister for foreign affairs asks whether the United States is inclined to entertain proposals for modus regarding North Pacific seal fisheries like that now existing between Russia and Great Britain. If so, Russian Government will present such proposal. Dispatch follows.

No. 39.

Mr. White to Mr. Gresham.

LEGATION OF THE UNITED STATES,
St. Petersburg, January 10, 1894. (Received January 22.)

SIR: Count Kapnist, director of the Asiatic department at the imperial foreign office, called upon me yesterday to ask whether the Government of the United States would incline to receive proposals from the Russian Government for a modus vivendi similar to that which now exists between Russia and Great Britain.

He said that Russia had delayed this suggestion until after the close of the Paris Arbitration Conference in order not to complicate matters there, but that his Government would be very glad to submit now the proposal above referred to; he wished, however, that before submitting these proposals the Imperial Government could have some information as to the feeling of our own Government in relation to the matter.

He said that Russia would be very glad to have a more complete, comprehensive, and thorough understanding on the subject, but that until this was reached something provisory in the nature of a modus vivendi was very desirable.

He dwelt especially on the provisional character of any such arrangement, and on the fact that it would not exclude a more complete agreement at any future time.

He also dwelt on the desirability of conforming any such agreement now made to that at present existing between Russia and Great Britain, since any material change would of course necessitate changes in that agreement.

As he showed an especial desire for early information and himself suggested a telegram, I have sent you this day the telegram appended.

I am, etc.,

ANDREW D. WHITE.

No. 40.

Mr. Gresham to Sir Julian Pauncefote.

DEPARTMENT OF STATE,
Washington, January 24, 1894.

EXCELLENCY: When, on the 5th of December last, the President, yielding to the earnestly expressed desire of Her Majesty's Government, consented to transfer from London to this capital the negotiations for the execution of the regulations decided and determined upon by the Tribunal of Arbitration at Paris, for the protection of the fur seal in the Pacific Ocean and Bering Sea outside of territorial waters, it was hoped that the concession to the wishes of Her Majesty's Government would facilitate the adoption of measures necessary for the attainment of that end. This hope was strengthened by the assurance expressed in a note of Lord Rosebery to Mr. Bayard of the 11th of December, that no time should be lost in issuing the requisite instructions to you with regard to the negotiations.

Since the transfer of the negotiations, however, no definite communication in regard to them has been received from Her Majesty's Government, though they have been deferred from day to day to await such a communication. The time thus lost has brought us to the opening of another sealing season without any definite steps having been taken for the execution of the Paris award.

Under these circumstances the President does not think that he would be justified in further awaiting a communication from Her Majesty's Government. The first object to be accomplished is to give immediate effect to the regulations framed by the Tribunal of Arbitration. Those regulations, while general in terms, are designed to attain the principal end which the parties to the arbitration had in view—that of putting an end to the destructive and indiscriminate slaughter of seals on the high seas. It is, therefore, the opinion of this Government that they should be put in force without delay.

Any supplementary rules which may be deemed to be requisite or desirable in order to secure the more efficient execution of the regulations determined upon by the Tribunal of Arbitration as necessary, may form the subject of further negotiation which this Government will be prepared to enter upon without delay. But if something be not done, and speedily done, to give effect to the regulations already determined upon, it is needless to say their object will be defeated. The United States would be glad to prohibit entirely, for a period of three years, or for two years, or for one year, the killing of seals, but unless Her Majesty's Government should be willing to agree to that measure it only remains for the two Governments, at once, to give effect to the regulations determined upon by the tribunal as necessary, in conformity with the treaty.

With a view to facilitate negotiations, I inclose herewith a draft of a convention for the purpose of rendering operative those regulations.

The provisions of this draft are believed to be plain, and do not seem to require extended comment. The first nine articles merely repeat, in identical terms, the corresponding articles of the regulations decided and determined upon by the Tribunal of Arbitration. The other five articles contain stipulations essentially connected with the preceding nine, and intended to secure their execution. They relate merely to the enactment of necessary laws, the policing of the seas, the imposition of penalties, and the identification of vessels, in the manner required by the regulations of the Paris Tribunal, recited in the nine preceding articles.

I inclose herewith a copy of an act of Congress, approved February 21, 1893, which was adopted for the purpose of extending existing statutes to any waters in which the killing of seals might, either as the result of an international arrangement, or of the arbitration under the treaty of February 29, 1892, be forbidden. It is not doubted that Her Majesty's Government will respond to the disposition manifested in this act of Congress to give effect to the results of the arbitration. Such further legislation as may be required on the part of the United States to secure those results this Government binds itself in the convention hereby proposed forthwith to adopt, a like obligation being imposed on Her Majesty's Government to adopt laws necessary on their part.

I have the honor to request that this communication may have your early and most earnest attention.

I have, etc., W. Q. GRESHAM.

[Inclosure 1 in No. 40.]

DRAFT MINUTES.

The United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, recognizing their obligation under the treaty of February 29, 1892, to consider the award of the Tribunal of Arbitration made under and by virtue of said treaty as a full, perfect, and final settlement of all the questions by said convention submitted to arbitration, including the regulations decided and determined upon by said tribunal as necessary for the protection of the fur seal in the Pacific Ocean and Bering Sea outside of the territorial waters, and to execute and perform the same as such settlement, have appointed as their plenipotentiaries to conclude a convention for that purpose, that is to say:

The President of the United States of America, ——— ———, and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, ——— ———, who, after having communicated to each other their respective full powers, found in due and good form, have agreed upon and concluded the following articles, to give full effect to the said award and the regulations determined upon by the said tribunal:

ARTICLE 1.

The Governments of the United States and of Great Britain shall forbid their citizens and subjects, respectively, to kill, capture, or pursue, at any time and in any manner whatever, the animals commonly called fur seals, within a zone of sixty miles around the Pribilof Islands, inclusive of the territorial waters.

The miles mentioned in the preceding paragraph are geographical miles, of sixty to a degree of latitude.

ARTICLE 2.

The two Governments shall forbid their citizens and subjects, respectively, to kill, capture, or pursue, in any manner whatever, during the season extending each year from the 1st of May to the 31st of July, both inclusive, the fur seals on the high sea, in the part of the Pacific Ocean, inclusive of the Bering Sea, which is situated to the north of the thirty-fifth degree of north latitude and eastward of the one hundred and eightieth degree of longitude from Greenwich, till it strikes the water boundary described in Article I of the treaty of 1867 between the United States and Russia, and following that line up to Bering Straits.

ARTICLE 3.

During the period of time and in the waters in which the fur-seal fishing is allowed, only sailing vessels shall be permitted to carry on or take part in fur-seal fishing operations. They will, however, be at liberty to avail themselves of the use of such canoes or undecked boats, propelled by paddles, oars, or sails as are in common use as fishing boats.

ARTICLE 4.

Each sailing vessel authorized to fish for fur seals must be provided with a special license issued for that purpose by its Government and shall be required to carry a distinguishing flag to be prescribed by its Government.

ARTICLE 5.

The masters of the vessels engaged in fur-seal fishing shall enter accurately in their official log book the date and place of each fur-seal fishing operation, and also the number and sex of the seals captured upon each day. These entries shall be communicated by each of the two Governments to the other at the end of each fishing season.

ARTICLE 6.

The use of nets, firearms, and explosives shall be forbidden in the fur-seal fishing. This restriction shall not apply to shotguns when such fishing takes place outside of Bering Sea, during the season when it may be lawfully carried on.

ARTICLE 7.

The two Governments shall take measures to control the fitness of the men authorized to engage in fur-seal fishing; these men shall have been proved fit to handle with sufficient skill the weapons by means of which this fishing may be carried on.

ARTICLE 8.

The regulations contained in the preceding articles shall not apply to Indians dwelling on the coasts of the territory of the United States or of Great Britain and carrying on fur-seal fishing in canoes or undecked boats not transported by or used in connection with other vessels and propelled wholly by paddles, oars, or sails, and manned by not more than five persons each in the way hitherto practiced by the Indians, provided such Indians are not in the employment of other persons, and provided that, when so hunting in canoes or undecked boats, they shall not hunt fur seals outside of territorial waters under contract for the delivery of the skins to any person.

This exemption shall not be construed to affect the municipal law of either country, nor shall it extend to the waters of Bering Sea or the waters of the Aleutian Passes.

Nothing herein contained is intended to interfere with the employment of Indians as hunters or otherwise in connection with fur-sealing vessels as heretofore.

ARTICLE 9.

The concurrent regulations hereby determined with a view to the protection and preservation of the fur seals shall remain in force until they have been, in whole or in part, abolished or modified by common agreement between the Governments of the United States and of Great Britain.

The said concurrent regulations shall be submitted every five years to a new examination, so as to enable both interested Governments to consider whether, in the light of past experience, there is occasion for any modification thereof.

ARTICLE 10.

The high contracting parties further agree that they will, respectively, without delay, enact such laws as shall appear requisite to carry into full effect all and every of the foregoing articles, and will from time to time, respectively, enact such further laws as may hereafter appear requisite to the like end.

ARTICLE 11.

The high contracting parties will also proceed to maintain now and hereafter in the waters of Bering Sea and of the North Pacific Ocean, from the —— day of March until the —— day of November in each year, a sufficient force of vessels properly equipped and fitted for the service of enforcing the stipulations herein contained and the laws agreed upon as aforesaid.

ARTICLE 12.

It is further agreed that every vessel, citizen, or subject of the nationality or under the jurisdiction of either of the high contracting parties, offending against the prohibitions recited in any of the foregoing articles, or violating any of the provisions of the laws passed for the enforcement of the said articles, or any of them, may be seized and detained by the naval or other duly commissioned officers of either of the high contracting parties, but they shall in case the seizure be made by one party of the citizens, subjects, or vessels of the other, be handed over for trial as soon as practicable to the authorities of the nation to which they respectively belong. The witnesses and proof necessary to establish the offense shall also be sent with them.

The high contracting parties shall forthwith designate, each to the other, a post or posts as near and convenient as may be to the area of the high sea described in the second above article, at which each party may deliver to the other for trial any vessels or persons seized or detained, and appoint a suitable officer or person to receive the same, together with any proofs of guilt, and shall make due provision for the immediate taking of the depositions of witnesses to be used, so far as the same may be used, at the trial or trials, so that such witnesses may not be long detained.

The penalty for every such offense or violation to be imposed upon any person convicted shall be a fine of not less than ———, nor more than ———, or imprisonment for not more than ———, or both such fine and imprisonment, and all vessels whose crew are found engaged in any such violation, their tackle, apparel, furniture, provisions, and all seal-skins on board, shall be condemned by proceedings in some court of competent jurisdiction and forfeited to the government under whose laws such condemnation and forfeiture shall take place.

ARTICLE 13.

It is further agreed that the distinguishing flag to be carried by the vessels which may be licensed by either of the high contracting parties under the provisions of article 4, shall be white in color, —— feet long and —— feet wide, and have thereon in black a letter S, as large as the said dimensions will admit, and shall always be conspicuously displayed.

ARTICLE 14.

The present convention shall be duly ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by Her Britannic Majesty, and the ratification shall be exchanged either at Washington or at London as early as possible.

In faith whereof we, the respective plenipotentiaries, have signed this convention and have hereunto affixed our seals.

No. 41.

Sir Julian Pauncefote to Mr. Gresham.

WASHINGTON, *January 30, 1894.*

SIR: I have the honor to acknowledge the receipt of your note of the 24th instant, inclosing for the consideration of my government the draft of a convention for giving effect (with appropriate legislation) to the award of the Bering Sea Tribunal of Arbitration as regards the regulations therein prescribed for the protection of the fur seal, and applicable to the high seas.

I transmitted a copy of your note and of its inclosures to the Earl of Rosebery by the mail of the 27th instant, and I also telegraphed the substance to him.

On receipt of his Lordship's reply I shall have the honor to address a further communication to you.

I have, etc., JULIAN PAUNCEFOTE.

No. 42.

Mr. Bayard to Mr. Gresham.

EMBASSY OF THE UNITED STATES,
London, February 21, 1894. (Received March 2.)

SIR: I have the honor to acknowledge yours of the 26th ultimo,* inclosing a copy of your correspondence with the British Ambassador at Washington, in relation to the enforcement of the award of the tribunal at Paris, and a draft of a proposed convention to effect this purpose.

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* Not printed.

Reflection but confirms the opinion which I have heretofore communicated to you (and in which I am happy to find that you so fully concur)-that the first and essential step is the frank, clear, and explicit acceptance by the two governments of the letter and spirit of the decrees of the tribunal.

The importance of accepting the award *ipsissimis verbis* is to prevent a new and different treaty from being substituted for the treaty of February, 1892, and its sequel, the award of the tribunal in August. 1893. These two documents must be kept and considered together as essential and inseparable parts of the same transaction, and the award expressly recites the treaty of February, 1892, one feature of which was the distinct covenant to accept whatever decision might be reached by the arbitrators and enact laws to carry it into effect and procure the adhesion of other nations to the result.

But I will not repeat further what I have heretofore in this correspondence had the honor to state on this subject.

I inclose herewith copies of a report * just made to Parliament by the British agent at Tokyo (M. de Bunsen), which throws a good deal of light upon the proceedings of the pelagic sealers in the eastern side of the Pacific Ocean, and which indicates impressively the necessity for prompt action by Great Britain and her North American dependencies and the United States, to compel by adequate and penal legislation obedience by their respective citizens to the regulations decreed by the Tribunal of Arbitration, a duty which can not be honorably avoided or delayed.

I have, etc., T. F. BAYARD.

No. 43.

Mr. Gresham to Mr. Bayard.

[Telegram.]

DEPARTMENT OF STATE,
Washington, February 22, 1894.

December 4 this Government yielded to the often expressed desire of Great Britain that further negotiations for making effective the award of the Paris Tribunal be conducted here. The British ambassador having since repeatedly informed me that he had not received expected instructions from his Government, the Department, on January 24, addressed him a note formally proposing the immediate conclusion of a convention to put in force the award, including the regulations, but nothing definite has been heard from Sir Julian, although from time to time I have urged that prompt action was necessary. The duty of the two Governments to give effect to the award is plain and simple. This long delay is difficult to understand, and it is the President's desire that you represent the matter impressively to Her Majesty's Government.

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* Not printed.

No. 44.

Mr. Bayard to Mr. Gresham.

[Telegram.]

LONDON, *February 26, 1894.*

Saw Lord Rosebery to-day. Draft of law to give full effect to the award and regulations mailed to Sir Julian Pauncefote last Saturday. Lord Rosebery assures intent to execute award without evasion or hesitation. Have sent him note deprecating delay and impressively urging immediate conclusion of the convention.

No. 45.

Mr. Bayard to Mr. Gresham.

EMBASSY OF THE UNITED STATES,
London, February 28, 1894. (Received March 12.)

SIR: I have now the honor to acknowledge the receipt of your instruction by telegram of the 22d instant in relation to the necessity of efficacious action upon the award and regulations of the Paris Tribunal of Arbitration.

I applied at the foreign office at once for an interview, but Lord Rosebery left town in the afternoon of the 23d, and my interview with im was consequently delayed until the Monday following.

On receipt of your telegram, I at once prepared a note to Lord Rosebery, in accordance with the desire of the President, as expressed in our telegram, but considered it expedient to have some conversation ith him before placing the note in his hands (which I did, however, efore leaving), a copy of which is herewith inclosed.

In the course of the conversation, after being informed that the draft for an act of Parliament, to give effect to the regulations determined by the arbitrators, had gone forward to Sir Julian Pauncefote at Washington, I expressed my surprise and regret that Sir Julian had not been definitely instructed to sign with you the convention, accepting in full the award of the Paris tribunal and the regulations prescribed by that body, leaving penal legislation, framed with intent to enforce the regulations, to be cooperatively provided in addition by the two powers.

I impressed upon his Lordship the elaborate presentation and prolonged argument of the case on both sides before the arbitrators, with the voluminous testimony which had resulted in a very careful and well considered judgment, which was absolutely binding on the high contracting parties, and must be honorably accepted and obeyed as to every provision, and in the very words employed by them.

This having been done then the proper language to enforce the regulations could readily be agreed upon.

Lord Rosebery did not seem aware of the proposition for a convention, and asked why the cooperative legislation would not be sufficient, adding, with some positiveness, that I might rest assured that it was their purpose to evade nothing, but to join us in giving full effect to the award.

To this last remark I promptly, and of course, assented, but gave my reasons as above stated for believing a convention to be manifestly the most direct and efficient step to attain the end in view.

His Lordship called in one of the under secretaries, to whom I repeated my views, and he promised, after consultation with his law experts, to communicate with me.

I did not desire, however, to press the matter with him so far as to divert the settlement from Washington, or to give warrant for the creation of any delay on this side the Atlantic.

My conviction strengthens that a substantial obedience to the prescribed regulations, especially that feature which forbids at all times the use of firearms in seal hunting in Bering Sea, must render the business of such little profit that it will not be worth pursuing. Nor do I see how the Canadians can, without suicidal discredit, withhold their legislative cooperation.

I have, etc.,
T. F. BAYARD.

[Inclosure in No. 45.]

Mr. Bayard to Lord Rosebery.

EMBASSY OF THE UNITED STATES,
London, February 23, 1894.

MY LORD: I am to-day instructed by cable to convey to Her Majesty's Government an expression of the disappointment felt by the President in the unexpected and regretted delay in coming to an agreement for the efficient execution of the regulations for the conduct of fur-seal fishing in Bering Sea and the Northern Pacific Ocean, which were determined and established by the Tribunal of Arbitration, and promulgated on August 15 last.

A review of our correspondence will disclose that, as early as the middle of September last, I had the honor to address a note to your lordship, the object of which was to make these regulations practically effective in due anticipation of the sealing season of the present year.

And that it was in consequence of your Lordship's suggestions and urgent representations in your note of November 21, in reply to mine of the day previous, that I became empowered on December 5 to communicate to you that, "yielding to your Lordship's desire, as expressed in conversation and in your note of November 21, the President consents that the negotiations needful to give effect to the decisions of the Tribunal of Arbitration shall be conducted at Washington, and that Her Majesty's Government shall be represented by Sir Julian Pauncefote."

And I would also recall to your Lordship that Washington was expressly proposed by you as the scene of the contemplated negotiation, because of the greater expedition if conducted there.

On the 11th December I had the honor to receive your reply, stating that—

> Upon the receipt of your excellency's note I at once instructed Her Majesty's representative, by telegraph, to express my acknowledgments to the United States Government for their courteous acquiescence in the views of Her Majesty's Government on this subject, and I avail myself of this opportunity to ask your excellency to accept my best thanks for the trouble which you have also taken in this matter.
>
> I beg to assure you that no time shall be lost in issuing the necessary instructions to Sir Julian Pauncefote with regard to these negotiations.

The contents of this note were duly communicated to my Government; and since then from time to time I have been informed by the Secretary of State that he had held several interviews on the subject with Sir Julian Pauncefote, who was, however, still awaiting the definite instructions from his Government, which would enable him to join in a convention for effectually executing the apparently plain and simple duty of giving effect to the award and decisions of the Tribunal of Arbitration, according to the terms of the treaty of February 29, 1892, and the concurrent regulations determined and established for the proper protection and preservation of the fur seal in, or habitually resorting to, the Bering Sea, outside the jurisdiction and limits of the respective Governments.

The season of the migration northward of the seal herds is now near at hand, and reports, apparently well founded and most disquieting, are current of extensive preparations of sealing vessels to continue the pelagic and indiscriminate killing and capture of seals, regardless of the regulations determined by the Tribunal of Arbitration as necessary for the proper protection and preservation and the species.

Under these circumstances, I am impelled to apply to your Lordship, in order that no further time may be lost in issuing the requisite instructions to Sir Julian Pauncefote at Washington to proceed, so that the great purposes for which resort was had to the principle of voluntary and amicable arbitration between the two friendly powers may not be deprived of complete success.

I have the honor to be, etc., T. F. BAYARD.

No. 46.

Mr. Bayard to Mr. Gresham.

EMBASSY OF THE UNITED STATES,
London, March 7, 1894. (Received March 16.)

SIR: In continuance of the subject of my last dispatch of February 28 and its inclosures, I have now the honor to inclose herewith a copy of a note, dated the 2d instant, which I received on the 3d instant after the departure of the mail to the United States on that day.

By the resignation of Mr. Gladstone, Lord Rosebery has become prime minister in his stead; and although the Earl of Kimberley is gazetted as secretary of state for foreign affairs, yet he has not yet formally been inducted into office, nor have I been notified of his assumption of its duties.

The tenor of Lord Rosebery's note is to me disappointing, and I shall at the earliest possible moment point out to his successor some of the reasons for such a feeling on the part of the Government of the United States. Nevertheless, it is somewhat satisfactory to observe the emphasis with which assurance is given "that the United States Government may rely upon the loyal fulfillment of the obligations imposed (by the decision of the Tribunal of Arbitration at Paris) upon this country.

It is difficult to see why recourse was to be had by Her Majesty's Government to "expert advisers" in regard to concluding a convention for the formal and explicit acceptance by both nations of the determination of a tribunal to which in advance and by formal treaty they had mutually pledged their faith and covenanted to procure the adhesion of the other powers.

If, however, an efficient and plenary execution of the Paris award and the regulations as determined and established for the control of fur-seal hunting in the North Pacific and Bering Sea can be obtained by cooperative statutes, the desired end will have been attained, and I sincerely trust the draft of legislative enactments which Lord Rosebery states went forward ten days ago to Washington may prove satisfactory and competent for the end in view.

For your possible convenience, I inclose copies of the imperial act of 1893, referred to, in Lord Rosebery's note, which remains in force till July, 1895, and draw your attention to certain provisions which I have marked in relation to wide powers bestowed upon the Queen in council.

Just so soon as it is practicable I propose to address a note to the new secretary of state for foreign affairs, in order that the averments of intention "to give prompt effect to the regulations framed by the tribunal," contained in Lord Rosebery's note, may not lack a corresponding agreement on the part of the United States, and the substance of a treaty may thus be framed for future use and reference.

I have, etc.,

T. F. BAYARD.

[Inclosure 1 in No. 46.]

Lord Rosebery to Mr. Bayard.

FOREIGN OFFICE, *March 2, 1894.*

YOUR EXCELLENCY: Her Majesty's Government have given due weight to the considerations urged by your excellency at our interview on the 26th ultimo, in support of the proposal of the United States Government that a convention should be concluded at once between Great Britain and the United States for the purpose of giving effect, as soon as possible, to the award of the Tribunal of Arbitration as regards the regulations therein prescribed and applicable to the high seas.

They have also given careful attention to your excellency's note of the 23d instant, which you placed in my hands in the course of our interview.

In that note the disappointment of the United States is expressed at the unexpected and regrettable delay which has occurred in coming to an agreement as to the best means of giving effect to the award.

At the risk of repeating what I said to your excellency on that occasion, I desire to record my emphatic assurance that there is no wish on the part of Her Majesty's Government to evade the decisions or to disregard the recommendations of the arbitrators, and that the United States Government may rely on the loyal fulfillment of the obligations thereby imposed on this country.

Considerable delay has, no doubt, occurred, but on the part of Her Majesty's Government it has been caused by the repeated references which, in view of the magnitude of the Canadian interests involved, it has been incumbent on Her Majesty's Government to make to the Dominion Government.

The first object of both powers is to give prompt effect to the regulations framed by the tribunal. The principal end of these regulations is to control the operations of pelagic sealers on the high seas. The new sealing season is rapidly approaching, and Her Majesty's Government concur with the Government of the United States that unless some steps be taken at once, there is risk that the objects of the award may, during the present year, be defeated, a result which would be equally deplored by both Governments.

The proposal of your Government is to proceed by a convention. This suggestion has been carefully considered by her Majesty's Government in communication with their expert advisers. They do not, however, find themselves able to share the views expressed in Mr. Gresham's note to Sir Julian Pauncefote, of the 24th January, as to the advantage of this mode of proceeding.

I need not trouble your excellency at length with the reasons on which their conclusion is based, as I have instructed Sir Julian Pauncefote to communicate them confidentially to Mr. Gresham; but I may mention that Her Majesty's Government have no power to put into force by order in council, as your excellency thought possible, the provisions of a convention such as is proposed by Mr. Gresham. Their powers in that respect regarding the fur-seal fisheries are limited to those conferred by the imperial act of 1893 (North Pacific seal fisheries act, 1893), which remains in force till July, 1895. For carrying out the award of the tribunal fresh legislative enactments, will, in any case, be required. A bill for that purpose has, as I informed your excellency, been prepared, and I forwarded it to Her Majesty's ambassador at Washington by the mail of the 24th ultimo, and I have instructed his excellency to communicate it confidentially to Mr. Gresham, and to explain and discuss with him the course which Her Majesty's Government think most advisable under the circumstances.

I have, etc., **ROSEBERY.**

[Inclosure 2 in No. 46.]

CHAPTER 23. AN ACT to provide for prohibiting the catching of seals at certain periods in Behring Sea and other parts of the Pacific Ocean adjacent to Behring Sea. [29th June, 1893.]

Whereas it is expedient to extend the sea fishery (Behring Sea) act, 1891, to other waters of the North Pacific Ocean adjacent to Behring Sea, and for that purpose to repeal and reenact that act:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. (1) Her Majesty the Queen may, by order in council, prohibit during the period specified by the order, the catching of seals by British ships in such parts of the seas to which this act applies as are specified by the order.

(2) While an order in council under this act is in force—

(*a*) a person belonging to a British ship shall not kill, take, or hunt, or attempt to kill or take, any seal during the period and within the seas specified by the order; and

(*b*) a British ship shall not, nor shall any of the equipment or crew thereof, be used or employed in such killing, taking, hunting, or attempt.

(3.) If there is any contravention of this act, any person committing, procuring, aiding, or abetting such contravention shall be guilty of a misdemeanor within the meaning of the merchant shipping act, 1854, and the ship and her equipment, and everything on board thereof, shall be liable to be forfeited to Her Majesty as if an offence had been committed under section one hundred and three of the said act, and the provisions of sections one hundred and three and one hundred and four and part ten of the said act, and of section thirty-four of the mechant shipping act, 1876 (which are set out in the schedule to this act), shall apply as if they were herein reenacted, and in terms made applicable to an offence and forfeiture under this act, and any commissioned officer on full pay in the naval service of Her Majesty the Queen may seize the ship's certificate of registry.

(4) Any commissioned officer on full pay in the naval service of Her Majesty, the Queen, shall have power, during the period and in the seas specified by the order, to stop and examine any British ship, and to detain her, or any portion of her equipment, or any of her crew, if in his judgment the ship is being or is preparing to be used or employed in contravention of this act.

(5) For carrying into effect an arrangement with any foreign State, an order in council under this act may provide that such officers of that State, as are specified in the order, may exercise the like powers under this act as may be exercised by such a commissioned officer as aforesaid in relation to a British ship, and the equipment and crew and certificate thereof, and that such British officers, as are specified in the order, may exercise, with the necessary mondifications, the powers conferred by this act in relation to a ship of the said foreign State, and the equipment and crew and papers thereof.

(6) If during the period and within the seas specified by the order a British ship is found having on board thereof fishing or shooting implements or seal skins or bodies of seals, it shall lie on the owner or master of such ship to prove that the ship was not used or employed in contravention of this act.

2. (1) Where an officer has power under this act to seize a ship's certificate of registry, he may either retain the certificate and give a provisional certificate in lieu thereof, or return the certificate with an indorsement of the grounds on which it was seized, and in either case may direct the ship, by an addition to the provisional certificate or to the indorsement, to proceed forthwith to a specified port, being a port where there is a British court having authority to adjudicate in the matter, and if this direction is not complied with, the owner and master of the ship shall, without prejudice to any other liability, each be liable to a fine not exceeding one hundred pounds.

(2) Where in pursuance of this section a provisional certificate is given to a ship, or the ship's certificate is indorsed, any officer of customs in Her Majesty's dominions or British consular officer may detain the ship until satisfactory security is given for her appearance in any legal proceedings which may be taken against her in pursuance of this act.

3. (1) A statement in writing, purporting to be signed by an officer having power in pursuance of this act to stop and examine a ship, as to the circumstances under which or grounds on which he stopped and examined the ship, shall be admissible in any proceedings, civil or criminal, as evidence of the facts or matters therein stated.

(2) If evidence contained in any such statement was taken on oath in the presence of the person charged in the evidence, and that person had an opportunity of cross-examining the person giving the evidence and of making his reply to the evidence, the officer making the statement may certify that the evidence was so taken and that there was such opportunity as aforesaid.

4. (1) Her Majesty the Queen in council may make, revoke, and alter orders for the purpose of this act, and every such order shall be forthwith laid before both houses of Parliament and published in the London Gazette.

(2) Any such order may contain any limitations, conditions, qualifications, and exceptions which appear to Her Majesty in council expedient for carrying into effect the object of this act.

5. (1) This act shall apply to the animal known as the fur seal, and to any marine animal specified in that behalf by an order in council under this act, and the expression "seal" in this act shall be construed accordingly.

(2) This act shall apply to the seas within that part of the Pacific Ocean known as Behring's Sea, and within such other parts of the Pacific Ocean as are north of the forty-second parallel of north latitude.

(3) The expression "equipment" in this act includes any boat, tackle, fishing or shooting instruments, and other things belonging to a ship.

(4) This act may be cited as the seal fishery (North Pacific) act, 1893.

(5) The seal fishery (Behring's Sea) act, 1891, is hereby repealed, but any order in council in force under that act shall continue as if it had been made in pursuance of this act.

(6) This act shall be and remain in force until the first day of July, one thousand eight hundred and ninety-five.

SCHEDULE.

Enactments of Merchant Shipping Act (17 & 18 Vict. c. 104) Applied.

Section 103.

* * * * * * *

And in order that the provisions as to forfeitures may be carried into effect, it shall be lawful for any commissioned officer on full pay in the military or naval service of Her Majesty, or any British officer of customs, or any British consular officer, to seize and detain any ship which has, either wholly or as to any share therein, become subject to forfeiture as aforesaid, and to bring her for adjudication before the high court of admiralty in England or Ireland, or any court having admiralty jurisdiction in Her Majesty's dominions; and such court may thereupon make such order in the case as it may think fit, and may award to the officer bringing in the same for adjudication such portion of the proceeds of the sale of any forfeited ship or share as it may think right.

Section 104.

No such officer as aforesaid shall be responsible, either civilly or criminally, to any person whomsoever, in respect of the seizure or detention of any ship that has been seized or detained by him in pursuance of the provisions herein contained, notwithstanding that such ship is not brought in for adjudication, or, if so brought in, is declared not to be liable to forfeiture, if it is shown to the satisfaction of the judge or court before whom any trial relating to such ship or such seizure or detention is held that there were reasonable grounds for such seizure or detention; but if no such grounds are shown such judge or court may award payment of costs and damages to any party aggrieved and make such other order in the premises as it thinks just.

Part X.—Legal Procedure.

APPLICATION.

Section 517.

The tenth part of this act shall in all cases where no particular country is mentioned apply to the whole of Her Majesty's dominions.

LEGAL PROCEDURE (GENERAL).

Section 518.

In all places within Her Majesty's dominions, except Scotland, the offences hereinafter mentioned shall be punished and penalties recovered in manner following (that is to say):

(1) Every offence by this act declared to be a misdemeanor shall be punishable by

fine or imprisonment with or without hard labour, and the court before which such offence is tried may in England make the same allowances and order payment of the same costs and expenses as if such misdemeanor had been enumerated in the act passed in the seventh year of His late Majesty King George the Fourth, chapter sixty-four, or any other act that may be passed for the like purpose, and may in any other part of Her Majesty's dominions make such allowances and order payment of such costs and expenses (if any) as are payable or allowable upon the trial of any misdemeanor under any existing act or ordinance, or as may be payable or allowable under any act or law for the time being in force therein.

(2) Every offence declared by this act to be a misdemeanor shall also be deemed to be an offence hereby made punishable by imprisonment for any period not exceeding six months, with or without hard labor, or by a penalty not exceeding one hundred pounds, and may be prosecuted accordingly in a summary manner, instead of being prosecuted as a misdemeanor.

(3) Every offence hereby made punishable by imprisonment for any period not exceeding six months, with or without hard labour, or by any penalty not exceeding one hundred pounds, shall in England and Ireland be prosecuted summarily before any two or more justices, as to England in the manner directed by the act of the eleventh and twelfth years of the reign of Her Majesty Queen Victoria, chapter forty-three, and as to Ireland in the manner directed by the act of the fourteenth and fifteenth years of the reign of Her Majesty Queen Victoria, chapter ninety-three, or in such other manner as may be directed by any act or acts that may be passed for like purposes. And all provisions contained in the said acts shall be applicable to such prosecutions in the same manner as if the offences in respect of which the same are instituted were hereby stated to be offences in respect of which two or more justices have power to convict summarily or to make a summary order.

(4) In all cases of summary convictions in England, where the sum adjudged to be paid exceeds five pounds, or the period of imprisonment adjudged exceeds one month, any person who thinks himself aggrieved by such conviction may appeal to the next court of general or quarter sessions.

(5) All offences under this act shall in any British possession be punishable in any court or by any justice of the peace or magistrate in which or by whom offences of a like character are ordinarily punishable, or in such other manner, or by such other courts, justices, or magistrates, as may from time to time be determined by any act or ordinance duly made in such possession in such manner as acts and ordinances in such possession are required to be made in order to have the force of law.

Section 519.

Any stipendiary magistrate shall have full power to do alone whatever two justices of the peace are by this act authorized to do.

Section 520.

For the purpose of giving jurisdiction under this act, every offence shall be deemed to have been committed, and every cause of complaint to have arisen, either in the place in which the same actually was committed or arose, or in any place in which the offender or person complained against may be.

Section 521.

In all cases where any district within which any court or justice of the peace or other magistrate has jurisdiction, either under this act or under any other act, or at common law, for any purpose whatever, is situate on the coast of any sea, or abutting on or projecting into any bay, channel, lake, river, or other navigable water, every such court, justice of the peace, or magistrate shall have jurisdiction over any ship or boat being on or lying or passing off such coast, or being in or near such bay, channel, lake, river, or navigable water as aforesaid, and over all persons on board such ship or boat or for the time being belonging thereto, in the same manner as if such ship, boat, or persons were within the limits of the original jurisdiction of such court, justice, or magistrate.

Section 522.

Service of any summons or other matter in any legal proceeding under this act shall be good service, if made personally on the person to be served, or at his last place of abode, or if made by leaving such summons for him on board any ship to which he may belong with the person being or appearing to be in command or charge of such ship.

Section 523.

In all cases where any court, justice, or justices of the peace, or other magistrate, has or have power to make an order directing payment to be made of any seaman's wages, penalties, or other sums of money, then, if the party so directed to pay the

(2) Any such order may contain any limitations, conditions, qualifications, and exceptions which appear to Her Majesty in council expedient for carrying into effect the object of this act.

5. (1) This act shall apply to the animal known as the fur seal, and to any marine animal specified in that behalf by an order in council under this act, and the expression "seal" in this act shall be construed accordingly.

(2) This act shall apply to the seas within that part of the Pacific Ocean known as Behring's Sea, and within such other parts of the Pacific Ocean as are north of the forty-second parallel of north latitude.

(3) The expression "equipment" in this act includes any boat, tackle, fishing or shooting instruments, and other things belonging to a ship.

(4) This act may be cited as the seal fishery (North Pacific) act, 1893.

(5) The seal fishery (Behring's Sea) act, 1891, is hereby repealed, but any order in council in force under that act shall continue as if it had been made in pursuance of this act.

(6) This act shall be and remain in force until the first day of July, one thousand eight hundred and ninety-five.

SCHEDULE.

ENACTMENTS OF MERCHANT SHIPPING ACT (17 & 18 Vict. c. 104) APPLIED.

Section 103.

* * * * * * *

And in order that the provisions as to forfeitures may be carried into effect, it shall be lawful for any commissioned officer on full pay in the military or naval service of Her Majesty, or any British officer of customs, or any British consular officer, to seize and detain any ship which has, either wholly or as to any share therein, become subject to forfeiture as aforesaid, and to bring her for adjudication before the high court of admiralty in England or Ireland, or any court having admiralty jurisdiction in Her Majesty's dominions; and such court may thereupon make such order in the case as it may think fit, and may award to the officer bringing in the same for adjudication such portion of the proceeds of the sale of any forfeited ship or share as it may think right.

Section 104.

No such officer as aforesaid shall be responsible, either civilly or criminally, to any person whomsoever, in respect of the seizure or detention of any ship that has been seized or detained by him in pursuance of the provisions herein contained, notwithstanding that such ship is not brought in for adjudication, or, if so brought in, is declared not to be liable to forfeiture, if it is shown to the satisfaction of the judge or court before whom any trial relating to such ship or such seizure or detention is held that there were reasonable grounds for such seizure or detention; but if no such grounds are shown such judge or court may award payment of costs and damages to any party aggrieved and make such other order in the premises as it thinks just.

PART X.—LEGAL PROCEDURE.

APPLICATION.

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The tenth part of this act shall in all cases where no particular country is mentioned apply to the whole of Her Majesty's dominions.

LEGAL PROCEDURE (GENERAL).

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In all places within Her Majesty's dominions, except Scotland, the offences hereinafter mentioned shall be punished and penalties recovered in manner following (that is to say):

(1) Every offence by this act declared to be a misdemeanor shall be punishable by

fine or imprisonment with or without hard labour, and the court before which such offence is tried may in England make the same allowances and order payment of the same costs and expenses as if such misdemeanor had been enumerated in the act passed in the seventh year of His late Majesty King George the Fourth, chapter sixty-four, or any other act that may be passed for the like purpose, and may in any other part of Her Majesty's dominions make such allowances and order payment of such costs and expenses (if any) as are payable or allowable upon the trial of any misdemeanor under any existing act or ordinance, or as may be payable or allowable under any act or law for the time being in force therein.

(2) Every offence declared by this act to be a misdemeanor shall also be deemed to be an offence hereby made punishable by imprisonment for any period not exceeding six months, with or without hard labor, or by a penalty not exceeding one hundred pounds, and may be prosecuted accordingly in a summary manner, instead of being prosecuted as a misdemeanor.

(3) Every offence hereby made punishable by imprisonment for any period not exceeding six months, with or without hard labour, or by any penalty not exceeding one hundred pounds, shall in England and Ireland be prosecuted summarily before any two or more justices, as to England in the manner directed by the act of the eleventh and twelfth years of the reign of Her Majesty Queen Victoria, chapter forty-three, and as to Ireland in the manner directed by the act of the fourteenth and fifteenth years of the reign of Her Majesty Queen Victoria, chapter ninety-three, or in such other manner as may be directed by any act or acts that may be passed for like purposes. And all provisions contained in the said acts shall be applicable to such prosecutions in the same manner as if the offences in respect of which the same are instituted were hereby stated to be offences in respect of which two or more justices have power to convict summarily or to make a summary order.

(4) In all cases of summary convictions in England, where the sum adjudged to be paid exceeds five pounds, or the period of imprisonment adjudged exceeds one month, any person who thinks himself aggrieved by such conviction may appeal to the next court of general or quarter sessions.

(5) All offences under this act shall in any British possession be punishable in any court or by any justice of the peace or magistrate in which or by whom offences of a like character are ordinarily punishable, or in such other manner, or by such other courts, justices, or magistrates, as may from time to time be determined by any act or ordinance duly made in such possession in such manner as acts and ordinances in such possession are required to be made in order to have the force of law.

Section 519.

Any stipendiary magistrate shall have full power to do alone whatever two justices of the peace are by this act authorized to do.

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For the purpose of giving jurisdiction under this act, every offence shall be deemed to have been committed, and every cause of complaint to have arisen, either in the place in which the same actually was committed or arose, or in any place in which the offender or person complained against may be.

Section 521.

In all cases where any district within which any court or justice of the peace or other magistrate has jurisdiction, either under this act or under any other act, or at common law, for any purpose whatever, is situate on the coast of any sea, or abutting on or projecting into any bay, channel, lake, river, or other navigable water, every such court, justice of the peace, or magistrate shall have jurisdiction over any ship or boat being on or lying or passing off such coast, or being in or near such bay, channel, lake, river, or navigable water as aforesaid, and over all persons on board such ship or boat or for the time being belonging thereto, in the same manner as if such ship, boat, or persons were within the limits of the original jurisdiction of such court, justice, or magistrate.

Section 522.

Service of any summons or other matter in any legal proceeding under this act shall be good service, if made personally on the person to be served, or at his last place of abode, or if made by leaving such summons for him on board any ship to which he may belong with the person being or appearing to be in command or charge of such ship.

Section 523.

In all cases where any court, justice, or justices of the peace, or other magistrate, has or have power to make an order directing payment to be made of any seaman's wages, penalties, or other sums of money, then, if the party so directed to pay the same is the master or owner of a ship, and the same is not paid at the time and in manner prescribed in the order, the court, justice, or justices, or other magistrate, who made the order, may, in addition to any other powers they or he may have for the purpose of compelling payment, direct the amount remaining unpaid to be levied by distress or poinding and sale of the said ship, her tackle, furniture, and apparel.

Section 524.

Any court justice or magistrate imposing any penalty under this act for which no specific application is herein provided, may, if it or he thinks fit, direct the whole or any part thereof to be applied in compensating any person for any wrong or damage which he may have sustained by the act or default in respect of which such penalty is imposed, or to be applied in or toward payment of the expenses of the proceedings; and, subject to such directions or specific application as aforesaid, all penalties recovered in the United Kingdom shall be paid into the receipt of Her Majesty's exchequer in such manner as the treasury may direct, and shall be carried to and form part of the consolidated fund of the United Kingdom; and all penalties recovered in any British possession shall be paid over into the public treasury of such possession, and form part of the public revenue thereof.

Section 525.

The time for instituting summary proceedings under this act shall be limited as follows (that is to say):

(1) No conviction for any offence shall be made under this act in any summary proceeding instituted in the United Kingdom, unless such proceeding is commenced within six months after the commission of the offence; or, if both or either of the parties to such proceeding happen during such time to be out of the United Kingdom, unless the same is commenced within two months after they both first happen to arrive or to be at one time within the same.

(2) No conviction for any offence shall be made under this act in any proceeding instituted in any British possession, unless such proceeding is commenced within six months after the commission of the offence; or if both or either of the parties to the proceeding happen during such time not to be within the jurisdiction of any court capable of dealing with the case, unless the same is commenced within two months after they both first happen to arrive or to be at one time within such jurisdiction.

(3) No order for the payment of money shall be made under this act in any summary proceeding instituted in the United Kingdom, unless such proceeding is commenced within six months after the cause of complaint arises; or, if both or either of the parties happen during such time to be out of the United Kingdom, unless the same is commenced within six months after they both first happen to arrive or to be at one time within the same.

(4) No order for the payment of money shall be made under this act in any summary proceeding instituted in any British possession, unless such proceeding is commenced within six months after the cause of complaint arises; or, if both or either of the parties to the proceeding happen during such time not to be within the jurisdiction of any court capable of dealing with the case, unless the same is commenced within six months after they both first happen to arrive or be at one time within such jurisdiction.

And no provision contained in any other act or acts, ordinance or ordinances for limiting the time within which summary proceedings may be instituted shall affect any summary proceeding under this act.

Section 526.

Any document required by this act to be executed in the presence of or to be attested by any witness or witnesses may be proved by the evidence of any person who is able to bear witness to the requisite facts, without calling the attesting witness or witnesses or any of them.

Section 527.

Whenever any injury has, in any part of the world, been caused to any property belonging to Her Majesty or to any of Her Majesty's subjects by any foreign ship, if at any time thereafter such ship is found in any port or river of the United Kingdom or within three miles of the coast thereof, it shall be lawful for the judge of any court of record in the United Kingdom or for the judge of the high court of admiralty, or in Scotland the court of session, or the sheriff of the county within whose jurisdiction such ship may be, upon its being shown to him by any person applying summarily that such injury was probably caused by the misconduct or want of skill of the master or mariners of such ship, to issue an order directed to any officer of customs or other officer named by such judge, requiring him to detain such ship until such time as the owner, master, or consignee thereof has made satisfaction in respect of such injury, or has given security, to be approved by the judge, to abide the event of any action, suit, or other legal proceeding that may be instituted in respect of such injury, and to pay all costs and damages that may be awarded thereon; and any officer of customs or other officer to whom such order is directed shall detain such ship accordingly.

Section 528.

In any case where it appears that before any application can be made under the foregoing section such foreign ship shall have departed beyond the limits therein mentioned, it shall be lawful for any commissioned officer on full pay in the military or naval service of Her Majesty, or any British officer of customs, or any British consular officer, to detain such ship until such time as will allow such application to be made and the result thereof to be communicated to him; and no such officer shall be liable for any costs or damages in respect of such detention unless the same is proved to have been made without reasonable grounds.

Section 529.

In any action, suit, or other proceeding in relation to such injury the person so giving security as aforesaid shall be made defendant or defender, and shall be stated to be the owner of the ship that has occasioned such damage; and the production of the order of the judge made in relation to such security shall be conclusive evidence of the liability of such defendant or defender to such action, suit, or other proceeding.

LEGAL PROCEDURE (SCOTLAND).

Section 530.

In Scotland every offence which by this act is described as a felony or misdemeanor may be prosecuted by indictment or criminal letters at the instance of Her Majesty's advocate before the high court of justiciary, or by criminal libel at the instance of the procurator fiscal of the county before the sheriff, and shall be punishable with fine and with imprisonment, with or without hard labour in default of payment, or with imprisonment, with or without hard labour, or with both, as the court may think fit, or in the case of felony with penal servitude, where the court is competent thereto; and such court may also, if it think fit, order payment by the offender of the costs and expenses of the prosecution.

Section 531.

In Scotland, all prosecutions, complaints, actions, or proceedings under this act, other than prosecutions for felonies or misdemeanors, may be brought in a summary form before the sheriff of the county, or before any two justices of the peace of the county or burgh where the cause of such prosecution or action arises, or where the offender or defender may be for the time, and when of a criminal nature or for penalties, at the instance of the procurator fiscal of court, or at the instance of any party aggrieved, with concurrence of the procurator fiscal of court; and the court may, if it think fit, order payment by the offender or defender of the costs of the prosecution or action.

Section 532.

In Scotland all prosecutions, complaints, actions, or other proceedings under this act may be brought either in a written or printed form, or partly written and partly printed, and where such proceedings are brought in a summary form it shall not be necessary in the complaint to recite or set forth the clause or clauses of the act on which such proceeding is founded, but it shall be sufficient to specify or refer to such clause or clauses, and to set forth shortly the cause of complaint or action, and the remedy sought; and when such complaint or action is brought in whole or in part for the enforcement of a pecuniary debt or demand, the complaint may contain a prayer for warrant to arrest upon the dependence.

Section 533.

In Scotland, on any complaint or other proceeding brought in a summary form under this act being presented to the sheriff clerk or clerk of the peace, he shall grant warrant to cite the defender to appear personally before the said sheriff or justices of the peace on a day fixed, and at the same time shall appoint a copy of the same to be delivered to him by a sheriff officer or constable, as the case may be, along with the citation; and such deliverance shall also contain a warrant for citing witnesses and havers to compear at the same time and place to give evidence and produce such writs as may be specified in their citation; and where such warrant has been prayed for in the complaint or other proceeding, the deliverance of the sheriff clerk or clerk of the peace shall also contain warrant to arrest upon the dependence in common form: *Provided always*, That where the apprehension of any party, with or without a warrant, is authorised by this act, such party may be detained in custody until he can be brought at the earliest opportunity before any two justices, or the sheriff who may have jurisdiction in the place, to be dealt with as this act directs, and no citation or induciæ shall in such case be necessary.

Section 534.

When it becomes necessary to execute such arrestment on the dependence against goods or effects of the defender within Scotland, but not locally situated within the jurisdiction of the sheriff or justices of the peace by whom the warrant to arrest has been granted, it shall be competent to carry the warrant into execution on its being indorsed by the sheriff clerk or clerk of the peace of the county or burgh respectively within which such warrant comes to be executed.

Section 535.

In all proceedings under this act in Scotland the sheriff or justices of the peace shall have the same power of compelling attendance of witnesses and havers as in cases falling under their ordinary jurisdiction.

Section 536.

The whole procedure in cases brought in a summary form before the sheriff or justices of the peace in Scotland shall be conducted vivâ voce, without written pleadings, and without taking down the evidence in writing, and no record shall be kept of the proceedings other than the complaint, and the sentence or decree pronounced thereon.

Section 537.

It shall be in the power of the sheriff or justices of the peace in Scotland to adjourn the proceedings from time to time to any day or days to be fixed by them, in the event of absence of witnesses or of any other cause which shall appear to them to render such adjournment necessary.

Section 538.

In Scotland all sentences and decrees to be pronounced by the sheriff or justices of the peace upon such summary complaints shall be in writing; and where there is a decree for payment of any sum or sums of money against a defender, such decree shall contain warrant for arrestment, poinding, and imprisonment in default of payment, such arrestment, poinding, or imprisonment to be carried into effect by sheriffs' officers or constables, as the case may be, in the same manner as in cases arising under the ordinary jurisdiction in the sheriff or justices: *Provided always*, That nothing herein contained shall be taken or construed to repeal or effect an act of the fifth and sixth years of William the Fourth, intituled "An act for abolishing, in Scotland, imprisonment for civil debts of small amount."

Section 539.

In all summary complaints and proceedings for recovery of any penalty or sum of money in Scotland, if a defender who has been duly cited shall not appear at the time and place required by the citation, he shall be held as confessed, and sentence or decree shall be pronounced against him in terms of the complaint, with such costs and expenses as to the court shall seem fit: *Provided always*, That he shall be entitled to obtain himself reponed against any such decree at any time before the same be fully implemented, by lodging with the clerk of court a reponing note, and consigning in his hands the sums decerned for, and the costs which had been awarded by the court, and on the same day delivering or transmitting through the post to the pursuer or his agent a copy of such reponing note; and a certificate by the clerk of court of such note having been lodged shall operate as a sist of diligence till the cause shall have been reheard and finally disposed of, which shall be on the next sitting of the court, or on any day to which the court shall then adjourn it.

Section 540.

In all summary complaints or other proceedings not brought for the recovery of any penalty or sum of money in Scotland, if a defender, being duly cited, shall fail to appear, the sheriff or justices may grant warrant to apprehend and bring him before the court.

Section 541.

In all cases where sentences or decrees of the sheriff or justices require to be enforced within Scotland, but beyond the jurisdiction of the sheriff or justices by whom such sentences or decrees have been pronounced, it shall be competent to carry the same into execution upon the same being indorsed by the sheriff clerk or clerk of the peace of the county or burgh within which such execution is to take place.

Section 542.

No order, decree, or sentence pronounced by any sheriff or justice of the peace in Scotland under the authority of this act shall be quashed or vacated for any misnomer, informality, or defect of form; and all orders, decrees, and sentences so pronounced shall be final and conclusive, and not subject to suspension, advocation, reduction, or to any form of review or stay of execution, except on the ground of corruption or malice on the part of the sheriff or justices, in which case the suspension, advocation, or reduction must be brought within fourteen days of the date of the order, decree, or sentence complained of: *Provided always*, That no stay of execution shall be competent to the effect of preventing immediate execution of such order, decree, or sentence.

Section 543.

Such of the general provisions with respect to jurisdiction, procedure, and penalties contained in this act as are not inconsistent with the special rules hereinbefore laid down for the conduct of legal proceedings and the recovery of penalties in Scotland, shall, so far as the same are applicable, extend to such last-mentioned proceedings and penalties: *Provided always*, That nothing in this act contained shall be held in any way to annul or restrict the common law of Scotland with regard to the prosecution or punishment of offences at the instance or by the direction of the lord advocate, or the rights of owners or creditors in regard to enforcing a judicial sale of any ship and tackle, or to give to the high court of admiralty of England any jurisdiction in respect of salvage in Scotland which it has not heretofore had or exercised.

ENACTMENT OF MERCHANT SHIPPING ACT, 1876 (39 & 40 VICT., c. 80.), APPLIED.

Section 34.

Where under the merchant shipping acts, 1854 to 1876, or any of them, a ship is authorised or ordered to be detained, any commissioned officer on full pay in the naval or military service of Her Majesty, or any officer of the board of trade or customs, or any British consular officer may detain the ship, and if the ship after such detention or after service on the master of any notice of or order for such detention proceeds to sea before it is released by competent authority, the master of the ship, and also the owner, and any person who sends the ship to sea, if such owner or person be party or privy to the offence, shall forfeit and pay to Her Majesty a penalty not exceeding one hundred pounds.

Where a ship so proceeding to sea takes to sea when on board thereof in the execution of his duty any officer authorised to detain the ship, or any surveyor or officer of the board of trade or customs, the owner and master of the ship shall each be liable to pay all expenses of and incidental to the officer or surveyor being so taken to sea, and also a penalty not exceeding one hundred pounds, or, if the offence is not prosecuted in a summary manner, not exceeding ten pounds for every day until the officer or surveyor returns, or until such time as would enable him after leaving the ship to return to the port from which he is taken, and such expenses may be recovered in like manner as the penalty.

No. 47.

Mr. Gresham to Mr. White.

DEPARTMENT OF STATE,
Washington, March 9, 1894.

SIR: I have to acknowledge the receipt of your dispatch of January 10, last, reporting that the imperial foreign office desired to know whether the Government of the United States would be disposed to entertain proposals for a modus vivendi as regards the North Pacific seal fisheries, similar to that now existing between Russia and Great Britain.

A reply has been unavoidably delayed by the failure thus far of the British Government to commence negotiations for the enforcement of the award of the Paris Tribunal of Arbitration. That award constitutes a valid obligation on the contracting parties, and every effort is being made by this Government to give it speedy effect in all its parts.

The award contemplates that the United States and Great Britain shall extend joint invitations to other powers to give their adhesion to such measures as may be agreed upon for the enforcement of the reported regulations, and the cordial character of the proposal of Russia plainly indicates that the adhesion of that Government will not be difficult to obtain.

I am, etc., W. Q. GRESHAM.

No. 48.

Mr. Gresham to Mr. Bayard.

[Telegram.]

WASHINGTON, *March 17, 1894.*

Great Britain still objects to a convention, and insists that award can be enforced by legislation. The President thinks convention necessary. The British ambassador suggested, a week ago, continuance of modus vivendi for another year. I replied the modus was only applicable to Bering Sea and suggested its renewal for another year, so enlarged, however, as to protect all the waters embraced in the second regulation, thus affording time for a treaty between United States, Great Britain, Russia, and Japan. The ambassador said he would telegraph this suggestion to his Government. To-day he informed me Great Britain did not favor such a modus, and I suggested a renewal of the existing modus for twelve months, with an added clause protecting the waters in the North Pacific embraced in the second regulation only during the months of May, June, and July, assuring the ambassador this Government could agree to nothing less.

The ambassador said it would be difficult to give notice to sealers which had already left their home ports, and it would be harsh to seize them without notice. I replied such sealers had left with knowledge of the award, and that both Governments were bound to enforce the regulations, and therefore contemplating that the regulations would be enforced; and that we would see to giving our sealers notice, asking no immunity for them, and Great Britain could do the same. The ambassador said he would telegraph at once my last offer to his Government.

But little time remains for concurrent action contemplated by the award. This Government is not responsible for the delay, and if Great Britain declines the last offer of a temporary agreement, the situation will become embarrassing for both Governments.

No. 49.

Mr. Gresham to Mr. Bayard.

DEPARTMENT OF STATE,
Washington, March 17, 1894.

SIR: The British ambassador called at the State Department about noon on the 7th instant and informed me that he had received from his Government a draft of a bill to be introduced into Parliament for putting into force the Bering Sea award, and other papers which he desired to submit for my inspection before a formal interview. I informed him I was ready for the interview whenever it would suit his convenience; that I knew of nothing so important as the Bering Sea award, and the sooner we reached an agreement for making it effective the better it would be for both Governments. Sir Julian stated that at 3 o'clock the next day he would be ready for an interview, at which hour he again arrived at the Department and for the first time handed me the draft. I informed him that I would examine it as speedily as possible, and after conferring with the President I would be ready for another interview, which we agreed should be on the 10th at 11 p. m. Sir Julian appeared at the appointed time, and I called his attention to the following defects in the draft submitted:

Paragraph 1 of section 1 declares that the reported regulations shall have effect as if they were set out in the act, and paragraph 2 declares that any person violating the act shall be deemed guilty of a misdemeanor within the meaning of the merchants' shipping act of 1854, and the ship employed in such contravention, and her equipment and everything on board thereof, shall be liable to be forfeited as if the offense had been committed under another act, "*Provided*, That the court, without prejudice to any other power, may release the ship, equipment, or thing, on payment of a fine not exceeding five hundred pounds." The penalty prescribed in the shipping act for a misdemeanor is a fine not exceeding 100 pounds.

The court is thus given discretion to punish offenders with nominal fines and release ships employed in contravention of the act on payment of like fines.

Paragraph 3 declares that certain sections of British acts shall apply as if they were expressly recited and in terms made applicable to the act, "and any commissioned officer on full pay in the naval service of Her Majesty the Queen may seize the ship's certificate of registry." Neither in this nor other sections of the draft is it made the duty of British officers to arrest offending persons and ships.

Paragraph 2 of Section VII reads:

> Where, on any proceeding against a person or ship in respect of any offense under this act, it is proved that the ship sailed from its port of departure before the scheduled provisions were published there, and that such person or the master of the ship did not subsequently and before such alleged offense receive notice of those provisions, such person shall be acquitted and the ship shall be released and not forfeited.

This paragraph is plainly intended to protect Canadian sealers which have already left Victoria to hunt seals in violation of the regulations. Should the bill become a law and a Canadian ship be caught any time taking seals in the waters described in the first regulation, or the waters described in the second regulation, during the months of May, June, and July, it could not be forfeited if it sailed from its port of departure before the scheduled provisions were published at that port and the master did not receive notice of the regulations before the offense was committed. The owners and masters of Canadian sealing schooners or ships were all familiar with the treaty and award of the Paris Tribunal before the ships left their home ports for this season. They knew it was the duty of both Governments to enforce the regulations and protect the inhibited waters; they were bound to contemplate that both Governments would do what the treaty and the award obliged them to do, and they are not, therefore, entitled to the protection contemplated by the seventh section of the draft.

Having urged these objections to the bill, I again informed Sir Julian that a convention such as I had proposed was in the strict line of what the award called for, and that I would like to know what objection his Government had to proceeding in that way. He replied that his Government did not think a convention was necessary; that it was opposed to a convention; that legislation would accomplish all that was needed, and that if a convention should be agreed upon, it would not be operative in his country without Parliamentary action. I replied that a convention would have the force of law in this country, and that I presumed Parliament could speedily give it such force in England. Sir Julian said he had suggested to Lord Rosebery that, owing to the lapse of time and the near approach of the inhibited season (he would not say whether Canada or London was to blame), it would be well for the two Governments to renew the modus vivendi for another year.

I replied that this would not protect the waters of the North Pacific embraced in the second regulation, that the modus was applicable only to the waters of Bering Sea, and asked Sir Julian if he was in favor of extending the existing modus for twelve months so as to embrace all the waters included in the second regulation. He replied that he did not think his Government was willing to go so far; that his idea was simply to close the Bering Sea for another year, leaving the waters of the North Pacific, south of the Aleutian Islands, free, as heretofore, thus giving more time to reach an agreement for the enforcement of the award. I informed the ambassador that this Government was not responsible for the failure thus far to put into force the award, including the regulations; that I would agree to nothing looking to a departure from the award; that I would entertain a proposition for a modus vivendi on the basis of the first and second regulations, to be operative for twelve months, during which time a treaty might be entered into between the United States, Great Britain, Russia, and Japan, settling the entire sealing question. Sir Julian seemed to think there was force in this suggestion, and said he would at once telegraph to London for authority to enter into such an agreement, which he has done, but has as yet received no reply.

Should an arrangement of this kind not be entered into, I fear we will soon be confronted with serious questions.

I am, etc.,

W. Q. GRESHAM.

No. 50.

Mr. Bayard to Mr. Gresham.

[Telegram.]

LONDON, *March 19, 1894.*

Your instructions communicated to the Earl of Kimberley to-day and impressed upon him serious embarrassments which were threatened if your latest proposition to renew and extend operation of modus (vivendi) shall not be accepted. It was readily agreed to between us that failure or delay in faithful execution of award would inflict disastrous blow to principle of arbitration, and I was again assured most emphatically of full intent of British Government to carry out their obligation. I again stated reasons for convention with supplementary legislation as best mode of complying with award. A bill for executing award ready for introduction here and only excluded last week unavoidably. Earl of Kimberley promised further information without delay.

No. 51.

Mr. White to Mr. Gresham.

LEGATION OF THE UNITED STATES,
St. Petersburg, March 21, 1894. (Received April 7.)

SIR: I have the honor to acknowledge the receipt of yours of March 9 last, in relation to an arrangement contemplated by the United States Government between the said Government, Great Britain, and possibly other powers, including Russia, and to say that I have this day advised the Imperial foreign office as to the main points of interest to Russia contained in your said dispatch.

I am, etc.,
ANDREW D. WHITE.

No. 52.

Mr. Gresham to Mr. Bayard.

[Telegram.]

WASHINGTON, *March 22, 1894.*

Made this proposition to British ambassador yesterday:

Extend existing modus for one year, amended so as to include waters in North Pacific down to forty-second parallel for months May, June, July. If this is not accepted, and ambassador intimated to-day it would not be, it is believed Congress will pass a bill for enforcement of regulations this season on our part.

No. 53.

Mr. Gresham to Mr. White.

[Telegram.]

DEPARTMENT OF STATE,
Washington, March 24, 1894.

United States will agree to prohibit their citizens from taking seals within 10 miles of Russian coast and within zone of 30 miles around Commander and Robbin islands until agreement is terminated by notice.

No. 54.

Mr. Bayard to Mr. Gresham.

[Telegram.]

LONDON, *March 27, 1894.*

At our interview to-day Lord Kimberley gave me a copy of latest proposed agreement between you and British ambassador at Washington as to close season north of 42°, commencing May. As the United States have every possible interest for immediate legislation to enforce award, I would accept Lord Kimberley's amendment suggesting that close season shall cease August 1 as to that power which has then prepared by its legislation to enforce award. Notice has been given last week of introduction of bill next Thursday in the House of Commons by the attorney-general, who drafted it; no opposition anticipated. Am satisfied Lord Kimberley is as anxious as ourselves to secure honorable execution of award.

No. 55.

Mr. Gresham to Mr. Bayard.

[Telegram.]

WASHINGTON, *March 28, 1894.*

The President objects to stipulation proposed to be added by Lord Kimberley, as it implies a possible violation of agreement by United States. This Government can not consent to a modus which does not embrace paragraph 4 of proposition telegraphed by British ambassador. You can assure Lord Kimberley United States will enact legislation to enforce award on their part before August 1, and the President will not doubt Great Britain will do the same; but, if for any unexpected reason award should not be in force on that day, it is not desirable either party should have the right to denounce the treaty.

No. 56.

Mr. Gresham to Mr. White.

[Telegram.]

DEPARTMENT OF STATE,
Washington, March 28, 1894.

United States will agree to prohibit their citizens hunting seal within 10 miles of Russian coasts and within zone of 30 miles around Commander and Robbin islands, annual catch on islands to be limited to 30,000; that Russian officers may seize offending American vessels, turning them over to United States for trial. Agreement to be terminated at will by either party on notice.

No. 57.

Mr. Gresham to Prince Cantacuzene.

DEPARTMENT OF STATE,
Washington, March 28, 1894.

MY DEAR SIR: Referring to a communication of this morning, I inclose herewith for your information draft of a modus vivendi which the United States are willing to enter into with the Imperial Government of Russia for the protection of fur seals on the Russian side of the Bering Sea.

Very truly, yours,
W. Q. GRESHAM.

[Inclosure in No. 57.]

Agreement between the Government of the United States and the Imperial Government of Russia for a modus vivendi in relation to the fur-seal fisheries in Behring Sea and the North Pacific Ocean.

For the purpose of avoiding difficulties and disputes in regard to the taking of fur seal in the waters of Bering Sea and the North Pacific Ocean, and to aid in the preservation of seal life, the Government of the United States and the Imperial Government of Russia have entered into the following temporary agreement, with the understanding that it is not to create a precedent for the future, and that the contracting parties mutually reserve entire liberty to make choice hereafter of such measures as may be deemed best adapted for the protection of the fur-seal species, whether by means of prohibitive zones or by the complete prohibition of pelagic sealing, or by appropriate regulation of seal hunting in the high seas.

1. The Government of the United States will prohibit citizens of the United States from hunting fur seal within a zone of ten nautical miles along the Russian coasts of Bering Sea and of the North Pacific Ocean, as well as within a zone of thirty nautical miles around the Komandorsky (Commander) Islands and Tulienew (Robbin) Island, and will promptly use its best efforts to ensure the observance of this prohibition by citizens and vessels of the United States.

2. Vessels of the United States engaged in hunting fur seal in the above-mentioned zones outside of the territorial waters of Russia may be seized and detained by the naval or other duly commissioned officers of Russia; but they shall be handed over as soon as practicable to the naval or other commissioned officers of the United States or to the nearest authorities thereof. In case of impediment or difficulty in so doing, the commander of the Russian cruiser may confine his action to seizing the ship's papers of the offending vessels in order to deliver them to a naval or other commissioned officer of the United States or to communicate them to the nearest authorities of the United States as soon as possible.

3. The Government of the United States agrees to cause to be tried by the ordinary courts, with all due guarantees of defense, such vessels of the United States as may be seized, or the ship's papers of which may be taken, as herein prescribed, by reason of their engaging in the hunting of fur seal within the prohibited zones outside of the territorial waters of Russia aforesaid.

4. The Imperial Russian Government will limit to 30,000 head the number of fur seal to be taken during the year 1894 on the coasts of Komandorsky (Commander) and Tulienew (Robbin) islands.

5. The present agreement shall have no retroactive force as regards the seizure of any seal-hunting vessel of the United States by the naval or other commissioned officer of Russia prior to the conclusion hereof.

6. The present agreement being intended to serve the purpose of a mere provisional expedient to meet existing circumstances, may be terminated at will by either party upon giving notice to the other.

In witness whereof we, Walter Q. Gresham, Secretary of State of the United States, and Prince Cantacuzene, envoy extraordinary and minister plenipotentiary of His Majesty the Emperor of all the Russias, have, on behalf of our respective Governments, signed and sealed this agreement in duplicate and in the English and French languages, in the city of Washington, this day , 1894.

[SEAL.]
[SEAL.]

No. 58.

Mr. Bayard to Mr. Gresham.

[Telegram.]

LONDON, *March 29, 1894.*

Had an interview with minister for foreign affairs. Your instructions by cable communicated. Will reply as soon as possible.

No. 59.

Mr. Bayard to Mr. Gresham.

[Telegram.]

LONDON, *March 30, 1894.*

A bill for executing award and regulations was introduced in the House of Commons by attorney-general yesterday; read for the first time; second reading next Monday. No opposition.

No. 60.

Mr. Bayard to Mr. Gresham.

EMBASSY OF THE UNITED STATES,
London, March 30, 1894. (Received April 9.)

SIR: I have the honor to acknowledge the receipt of your several telegrams of the 17th, 22d, and 28th instant, all in relation to the measures requisite for enforcing the Bering Sea award and regulations.

An interview with Lord Kimberley was instantly sought on the 29th instant, and promptly accorded at his residence, and was followed by a note from me which restated with precision and fullness all that had passed between us on that occasion in relation to the subject matter under consideration, a copy of which note is now herewith inclosed.

When we parted (about 2 p. m.) Lord Kimberley was immediately to meet Sir Charles Russell, the attorney-general, for consultation upon this subject; and, although I have not yet received a reply to my last note, yet the report of the proceedings in the House of Commons yesterday discloses the fact that the attorney-general had introduced the bill to enforce the award and regulations as established by the Tribunal of Arbitration, that it had been read the first time without opposition, and the second reading fixed for Monday next, and to this effect I have to-day telegraphed you.

I am entirely confident of the intention of this Government to live up to their agreement, and provide by law for the full and honorable execution of the decree of the arbitrators.

Under their constitutional arrangements—differing from those of the United States—a treaty has not the force of law, and legislative machinery is requisite to put their conventions in operative force.

Last autumn, and throughout the session, until the recess in March, the Irish home rule bill, and one or two other measures, domestic and political in their nature, completely blocked the way of other business, and excluded all other consideration.

Now and at last the path is clear, and I am not able to doubt that the measure introduced will speedily become the law, and, once under legal control, I believe all international friction will be at least minimized or put an end to in Bering Sea.

I have, etc., T. F. BAYARD.

[Inclosure in No. 60.]

Mr. Bayard to Lord Kimberley.

EMBASSY OF THE UNITED STATES,
London, March 29, 1894.

DEAR LORD KIMBERLEY: Referring to our conversation of this morning on the subject of enforcing the award of the Tribunal of Arbitration in the Bering Sea fur sealing case, I beg leave in this note to repeat what I then said.

I am this morning instructed by cable that the President is unable to consent to the emendation suggested by you to paragraph 4 of the Memorandum of Agreement between Sir Julian Pauncefote and Secretary Gresham, at Washington, for the reason that it implies a possibility of violation by the United States of the agreement and also of the stipulations of the convention of February, 1892, and of the award of the Tribunal of Arbitration at Paris. I am instructed to assure your Lordship that the United States Government will enact legislation to enforce the award completely, on its part, before the 1st of August next, and that the President entertains no doubt that Great Britain will equally do the same.

As stated by me in our last interview on this subject, it is the desire, and manifestly it is essential to the interests of the United States, that the results of the arbitration should be completely carried into effect, and without delay; and this has been urged in their behalf ever since the award was promulgated in August last.

The President has great satisfaction in believing that it is the equal purpose of both Governments to carry into effect and enforce the decrees of the Tribunal of Arbitration in letter and spirit; and he is not willing that the force of the treaty which created the arbitration, or any of its results, should be weakened or departed from in any particular.

It was with this purpose that it was proposed by the United States in October last by a convention to accept at once and unqualifiedly the award of the tribunal, and the regulations determined and established by it for fur-seal fishing in the North Pacific Ocean and Bering Sea; but to this mode of action Her Majesty's Government demurred, and therefore they now desire, by cooperative legislation, and with the promptness necessitated by the circumstances of the case, to effectuate the same result.

Moreover, the welcome and hearty concurrence of your Lordship in the solicitude expressed by me that international resort to arbitration should not fail in completeness, nor its success in any degree be impaired, give great confidence that the arrangements as proposed by the two negotiators at Washington will be adopted.

Believe me, etc.,

T. F. BAYARD.

No. 61.

Mr. Gresham to Mr. White.

DEPARTMENT OF STATE,
Washington, March 30, 1894.

SIR: On the 9th instant I answered your dispatch of January 10th, in relation to the suggested Russian-American modus vivendi in regard to the fur-seal fisheries of the North Pacific, and pointed out the necessity of deferring a joint understanding, reciprocally applicable to the waters within the purview of the award of the Paris Tribunal of Arbitration, until the invitation contemplated in that award could be extended by the United States and Great Britian acting in concert.

Since then, as the result of conferences I have had with the Russian minister here, the way has been opened for the adoption of a more limited understanding with the Imperial Government.

I have given to Prince Cantacuzene a draft of a modus vivendi, a copy of which I inclose* in order that you may submit it to the Russian Government for its information as to what the United States are willing to do in this relation.

It will be observed that the modus vivendi is not reciprocal in its application to the eastern waters of the North Pacific and Bering Sea. Our information is that Russian subjects have never taken seal on our side of those waters, and there is no reason to apprehend that they will do so now. For that reason, the United States exact nothing from Russia in the way of reciprocity, relying on the stipulated right to terminate the agreement at will, in the event of Russia permitting her subjects to poach in the waters embraced in the regulations of the Paris award.

My telegram of the 28th instant advised you of the essential features of the proposed modus.

I am, etc.,

W. Q. GRESHAM.

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* See inclosure in No. 57.

No. 62.

Mr. Gresham to Mr. Bayard.

[Telegram.]

WASHINGTON, *March 31, 1894.*

Proposition British Government communicated by British ambassador to-day not accepted. Delay on the part of Great Britain and apparent unwillingness to protect waters in first and second regulations against Canadian sealers this season have created some feeling of irritation in Congress. Think bill for full enforcement of award will pass Senate Monday and House in a few days thereafter.

No. 63.

Mr. Bayard to Mr. Gresham.

[Telegram.]

LONDON, *April 3, 1894.*

Long interview with the minister for foreign affairs yesterday, and pressed the necessity for prompt action. Bill as now published gives legislative force to all regulations of Paris Arbitration May 1. I consider it highly important that bill before Congress should strictly adhere to phraseology of regulations, and that measures of both Governments should be as nearly as possible identical. Comments of press of both parties favorable.

No. 64.

Mr. White to Mr. Gresham.

LEGATION OF THE UNITED STATES,
St. Petersburg, April 3, 1894. (Received April 19.)

SIR: I inclose a copy of a note just received from the imperial minister of foreign affairs proposing a modus vivendi similar to that now in operation between Russia and Great Britain, which the Imperial Government understands from the recent telegram of the State Department to this legation that our own Government is ready to adopt.

It will be observed that the method of putting the proposed arrangement into force suggested by the imperial minister is very simple, and I may be allowed to suggest that, if our own Government take the same view, a brief dispatch by cable to me to that effect would be well received here by the Imperial Government as showing that we are ready to meet their views with promptness.

I am, etc., AND. D. WHITE.

[Inclosure in No. 64—Translation.]

Mr. Giers to Mr. White.

MR. MINISTER: The Government of the United States of North America, having agreed to an arrangement concerning fur-seal fishing similar to the one which already exists between us and Great Britain, I consider it my duty to address you the present note on the subject, accompanied by the reservations which we have formulated toward England.

1. It is understood, in the first place, that the understanding established between our two Governments leaves unimpaired all the rights of Russia in its territorial waters.

2. In delivering to the authorities of the United States the American ships engaged in hunting fur seals in the prohibited waters, we do not in any way intend to prejudice the question of the rights of maritime power to extend its territorial jurisdiction in certain special cases beyond erritorial waters properly so called.

3. The Imperial Government reserves its entire liberty as to the choice in the future between the two systems of protecting fur seals, either by means of a prohibited zone or by means of complete prohibition of pelagic hunting, or by regulating it on the high seas.

4. The present arrangement shall only be in force until further orders, will only have an essentially provisional character, and shall in no way be used as a precedent.

Under these reservations we consent to the following conditions:

1. The Government of the United States of North America shall forbid its subjects hunting fur seals within a zone of 10 nautical miles along all the Russian coasts of Bering Sea and the Northern Pacific Ocean as well as in a zone of 30 nautical miles around the Commandorski and Tiulenew islands (Robbin Island).

2. Ships belonging to subjects of the United States of North America occupied in fishing fur-seals in the above-mentioned zone outside of the territorial waters of Russia may be seized by Russian ships of war to be delivered over to ships of war of the United States or to the nearest American authorities. In case that this can not be done, or where there arises difficulty in doing so, the commander of the Russian ship may confine himself to seizing the ship's papers of the above-mentioned vessels to the end that they may be handed over to a ship of war of the United States or sent to the nearest American authorities at the earliest opportunity.

3. The Government of the United States agrees to have tried by the ordinary tribunals offering all necessary guarantees American ships which shall have been seized for fishing fur seal in the prohibited zones outside of Russian territorial waters.

4. The Imperial Government will limit the catch of fur seals on the coast of the Commandorski and Tiulenew (Robbin) islands to 30,000 head during the present year.

5. An agent of the Government of the United States may be allowed to land on the above-mentioned Commandorski and Tiulenew islands, so as to collect from the local authorities all necessary information bearing on the working and results of the present agreement, but the local authorities shall be previously informed of the date of his visit which shall not be for a greater length of time than a few weeks.

6. The present agreement shall have no retrospective force as to the seizure of American vessels which may have been previously seized by ships of the imperial navy.

The above-mentioned points being based exactly on the texts of our arrangements with Great Britain to which the Government of the United States of North America has already adhered, we do not doubt that the latter will accept it (i. e., the present agreement). A simple acknowledgement conveying the formal acceptance by your Government would be sufficient in our eyes to establish that the agreement between the two Governments concerning fur-seal fishing is provisionally agreed upon until further order.

Please accept, etc., GIERS.

No. 65.

Mr. Bayard to Mr. Gresham.

EMBASSY OF THE UNITED STATES,
London, April 4, 1894. (Received April 13.)

SIR: I had the honor to address you under date of 30th ultimo, and now inclose copies of your telegram of March 31 and of my telegraphic reply to the same of the 3d instant, both relating to the proposed enforcement of the Bering Sea regulations.

The sentence of your above telegram, "Proposition British Government communicated by British ambassador to-day not accepted," was not quite clear to me in its meaning, nor was I able in my interview of April 2 with Lord Kimberley to obtain from him an entirely satisfactory explanation.

The action of this Government, however, in fixing May 1 as the date for the operation of the new law for enforcing the fur-sealing regulations, would appear to make unnecessary any ad interim arrangement.

I have the honor to inclose copies of the proposed British act as published here yesterday, and which (as I was informed) was telegraphed verbatim to the United States, with the purpose probably of procuring identity of legislative expression.

Lord Kimberley showed me a copy of the bill introduced by Mr. McCreary in the House of Representatives and referred to the Committee on Foreign Relations, which copy had been much interlined and amended, and as it did not accurately follow the phraseology of the regulations, as "determined and established" by the Tribunal of Arbitration at Paris, I drew your attention in my last telegram to what I conceive to be of great importance—that we should incorporate and adopt in our law to enforce these regulations the full and precise language employed by the arbitrators.

The more I consider the logical and necessary results of a complete enforcement of these regulations as decreed, the more plainly does it appear to me that profitable pelagic fur-seal fishing is inconsistent therewith.

This, of course, is equally obvious to the British-American sealers, and the strain upon their sense of honorable obligation and legal duty may be estimated by expressions in the parliament at Ottawa, and the departure of there sealing vessels with full knowledge of the regulations of the arbitration and the pendency of legislation to penalize their breach.

The telegraphic reports announce the passage, yesterday, of the bill in the Senate, and I suppose speedy action will similarly follow in the House of Representatives.

I have, etc.,
T. F. BAYARD.

[Inclosure in No. 65.]

BERING SEA AWARD BILL.

ARRANGEMENT OF CLAUSES.

Clause:

1. Enactment of articles of arbitrators' award respecting the fur seal.
2. Provision as to ship's papers.
3. Orders in council.
4. Liabilities of masters to punishment.
5. Definitions.
6. Short title.
7. Commencement of act.
8. Duration of act.

Schedules.

A BILL to provide for carrying into effect the award of the Tribunal of Arbitration constituted under a treaty between Her Majesty the Queen and the United States of America.

Whereas by a treaty between Her Majesty the Queen and the Government of the United States of America various questions which had arisen respecting the taking and preservation of the fur seal in the North Pacific were referred to arbitrators as mentioned in the treaty;

And whereas the award of such arbitrators (in this act referred to as the Bering Sea Arbitration Award), dated the fifteenth day of August one thousand eight hundred and ninety-three, contained the provisions set out in the first schedule to this act; and it is expedient to provide for carrying the same into effect:

Be it therefore enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. (1) The provisions of the Bering Sea Arbitration Award set out in the first schedule to this act shall have effect as if those provisions (in this act referred to as the scheduled provisions) were enacted by this act, and the acts directed by articles one and two thereof to be forbidden were expressly forbidden by this act.

(2) If there is any contravention of this act, any person committing, procuring, aiding, or abetting such contravention shall be guilty of a misdemeanor within the meaning of the merchant shipping act, 1854, and the ship employed in such contravention and her equipment, and everything on board thereof, shall be liable to be forfeited to Her Majesty as if an offence had been committed under section one hundred and three of the said act; provided that the court, without prejudice to any other power, may release the ship, equipment, or thing on payment of a fine not exceeding *five hundred pounds.*

(2) The provisions of the merchant shipping act, 1854, with respect to official logs (including the penal provisions) shall apply to every vessel engaged in fur-seal fishing.

(3) Every person who forges or fraudulently alters any licence or other document issued for the purpose of article four or of article seven in the first schedule to this act, or who procures any such licence or document to be forged or fraudulently altered, or who knowing any such licence or document to be forged or fraudulently altered uses the same, or who aids in forging or fraudulently altering any such licence or document, shall be guilty of a misdemeanor within the meaning of the merchant shipping act, 1854.

(4) Subject to this act, the provisions of sections one hundred and three and one hundred and four and part ten of the merchant shipping act, 1854, and of section thirty-four of the merchant shipping act, 1876, which are set out in the second schedule to this act, shall apply as if they were herein reenacted, and in terms made applicable to an offence and forfeiture under this act; and any commissioned officer on full pay in the naval service of Her Majesty the Queen may seize the ship's certificate of registry.

2. (1) Where an officer seizes, under this Act, a ship's certificate of registry, he may either retain the certificate and give a provisional certificate in lieu thereof, or return the certificate with an indorsement of the grounds on which it was seized, and in either case may direct the ship, by an addition to the provisional certificate or to the indorsement, to proceed forthwith to a specified port, being a port where there is a British court having authority to adjudicate in the matter, and if this direction is not complied with the owner and master of the ship shall, without prejudice to any other liability, each be liable to a fine not exceeding *one hundred pounds.*

(2) Where in pursuance of this section a provisional certificate is given to a ship, or the ship's certificate is indorsed, any officer of customs in Her Majesty's dominions or British consular officer may detain the ship until satisfactory security is given for her appearance in any legal proceedings which may be taken against her in pursuance of this act.

3. (1) Her Majesty the Queen in council may make, revoke, and alter orders for carrying into effect the scheduled provisions, and this act, and every such order, shall be forthwith laid before both houses of Parliament and published in the London Gazette, and shall have effect as if enacted in this act.

(2) If there is any contravention of any regulation made by any such order, any person committing, procuring, aiding, or abetting such contravention shall be liable to a penalty not exceeding *one hundred pounds.*

(3) An order in council under this act may provide that such officers of the United States of America as are specified in the order may in respect of offences under this act exercise the like powers under this act as may be exercised by a commissioned officer of Her Majesty in relation to a British ship, and the equipment and certificate thereof; and that such British officers as are specified in the order may exercise the powers conferred by this act, with any necessary modifications specified in the order, in relation to a ship of the United States of America, and the equipment and certificate thereof.

4. (1) Where any offence under this act has been committed by some person belonging to a ship, or by means of a ship, or the equipment of a ship, the master of the ship shall be deemed guilty of such offence, and the ship and her equipment shall be liable to forfeiture under this act.

(2) Provided that if it is proved that the master issued proper orders for the observance, and used due diligence to enforce the observance of this act, and the regulations in force thereunder, and that the offence in question was actually committed by some other person without his connivance, and that the actual offender has been convicted, or that he has taken all proper means in his power to prosecute such offender, if alive, to conviction, the master or the ship shall not be liable to any penalty or forfeiture other than such sum as will compensate for any injury caused by the offence, and will prevent any profit accruing by reason of the offence to the master or crew or owner of the ship.

5. (1) The expression "equipment" in this act includes any boat, tackle, fishing or shooting instruments, and other things belonging to a ship.

6. This act may be cited as the Bering Sea award act, 1894.

7. (1) This act shall come into operation on the *first day of May, one thousand eight hundred and ninety-four*, provided that Her Majesty in council, if at any time it appears expedient so to do, having regard to the circumstances which have then arisen in relation to the scheduled provisions or to the enforcement thereof, may suspend the operation of this act or any part thereof during the period mentioned in the order, and the same shall be suspended accordingly.

(2) Where on any proceeding against a person or ship in respect of any offence under this act it is proved that the ship sailed from its port of departure before the scheduled provisions were published there, and

that such person or the master of the ship did not, after such sailing and before the alleged offence, receive notice of those provisions, such person shall be acquitted, and the ship shall be released and not forfeited.

8. This act shall remain in force so long as the scheduled provisions remain in force and no longer.

Provided that if by agreement between Her Majesty the Queen and the Government of the United States of America, the scheduled provisions are modified, then Her Majesty in council may order that this act shall, subject to any modifications, specified in the order, apply, and the same shall accordingly apply, to the modified provisions in like manner as if they were set out in the first schedule to this act.

SCHEDULES.

FIRST SCHEDULE.

Provisions in award of the Tribunal of Arbitration constituted under the treaty concluded at Washington on the 29th of February, 1892, between Her Majesty the Queen and the United States of America.

And whereas the aforesaid determination of the foregoing questions as to the exclusive jurisdiction of the United States mentioned in Article VI leaves the subject in such a position that the concurrence of Great Britain is necessary to the establishment of regulations for the proper protection and preservation of the fur seal in or habitually resorting to the Bering Sea, the tribunal having decided by a majority as to each article of the following regulations, we, the said Baron de Courcel, Lord Hannen, Marquis Visconti Venosta, and Mr. Gregers Gram, assenting to the whole of the nine articles of the following regulations, and being a majority of the said arbitrators, do decide and determine in the mode provided by the treaty that the following concurrent regulations outside the jurisdictional limits of the respective Governments are necessary, and that they should extend over the waters hereinafter mentioned—that is to say:

ARTICLE 1. The Governments of the United States and of Great Britain shall forbid their citizens and subjects, respectively, to kill, capture, or pursue at any time and in any manner whatever, the animals commonly called fur seals, within a zone of 60 miles around the Pribiloff Islands, inclusive of the territorial waters.

The miles mentioned in the preceding paragraph are geographical miles, of 60 to a degree of latitude.

ARTICLE 2. The two Governments shall forbid their citizens and subjects, respectively, to kill, capture, or pursue in any manner whatever, during the season extending each year from the 1st May to the 31st July, both inclusive, the fur seals on the high sea in the part of the Pacific Ocean, inclusive of the Behring Sea, which is situated to the north of the 35th degree of north latitude, and eastward of the 180th degree of longitude from Greenwich till it strikes the water boundary described in Article I of the treaty of 1867 between the United States and Russia, and following that line up to Behring Straits.

ARTICLE 3. During the period of time and in the waters in which the fur-seal fishing is allowed, only sailing vessels shall be permitted to carry on or take part in fur-seal fishing operations. They will, however, be at liberty to avail themselves of the use of such canoes or undecked boats, propelled by paddles, oars, or sails, as are in common use as fishing boats.

ARTICLE 4. Each sailing vessel authorised to fish for fur-seals must be provided with a special licence issued for that purpose by its Government, and shall be required to carry a distinguishing flag to be prescribed by its Government.

ARTICLE 5. The masters of the vessels engaged in fur-seal fishing shall enter accurately in their official log-book the date and place of each fur-seal fishing operation, and also the number and sex of the seals captured upon each day. These entries shall be communicated by each of the two Governments to the other at the end of each fishing season.

ARTICLE 6. The use of nets, fire-arms, and explosives shall be forbidden in the fur-seal fishing. This restriction shall not apply to shot guns when such fishing takes place outside of Behring's Sea during the season when it may be lawfully carried on.

ARTICLE 7. The two Governments shall take measures to control the fitness of the authorised to engage in fur-seal fishing. These men shall have been proved fit to handle with sufficient skill the weapons by means of which this fishing may be carried on.

ARTICLE 8. The regulations contained in the preceding articles shall not apply to Indians dwelling on the coasts of the territory of the United States or of Great Britain, and carrying on fur-seal fishing in canoes or undecked boats not transported by or used in connexion with other vessels and propelled wholly by paddles, oars, or sails, and manned by not more than five persons each in the way hitherto practised by the Indians, provided such Indians are not in the employment of other persons, and provided that, when so hunting in canoes or undecked boats, they shall not hunt fur-seals outside of territorial waters under contract for the delivery of the skins to any person.

This exemption shall not be construed to affect the municipal law of either country, nor shall it extend to the waters of Behring Sea, or the waters of the Aleutian Passes.

Nothing herein contained is intended to interfere with the employment of Indians as hunters or otherwise in connexion with fur-sealing vessels as heretofore.

ARTICLE 9. The concurrent regulations hereby determined with a view to the protection and preservation of the fur-seals, shall remain in force until they have been, in whole or in part, abolished or modified by common agreement between the Governments of the United States and of Great Britain.

The said concurrent regulations shall be submitted every five years to a new examination, so as to enable both interested Governments to consider whether, in the light of past experience, there is occasion for any modification thereof.

SECOND SCHEDULE.

ENACTMENTS OF MERCHANT SHIPPING ACT (17 & 18 VICT., C. 104) APPLIED.

Section 103.

* * * * * * *

And in order that the above provisions as to forfeitures may be carried into effect, it shall be lawful for any commissioned officer on full pay in the military or naval service of Her Majesty, or any British officer of customs, or any British consular officer, to seize and detain any ship which has, either wholly or as to any share therein, become subject to forfeiture as aforesaid, and to bring her for adjudication before the high court of admiralty in England or Ireland, or any court having admiralty jurisdiction in Her Majesty's dominions; and such court may thereupon make such order in the case as it may think fit, and may award to the officer bringing in the same for adjudication such portion of the proceeds of the sale of any forfeited ship or share as it may think right.

Section 104.

No such officer as aforesaid shall be responsible, either civilly or criminally, to any person whomsoever, in respect of the seizure or detention of any ship that has been seized or detained by him in pursuance of the provisions herein contained, notwithstanding that such ship is not brought in for adjudication, or, if so brought in, is declared not to be liable to forfeiture, if it is shown to the satisfaction of the judge or court before whom any trial relating to such ship or such seizure or detention is held that there were reasonable grounds for such seizure or detention; but if no such grounds are shown, such judge or court may award payment of costs and damages to any party aggrieved, and make such other order in the premises as it thinks just.

PART X.—LEGAL PROCEDURE.

APPLICATION.

Section 517.

The tenth part of this act shall in all cases, where no particular country is mentioned, apply to the whole of Her Majesty's dominions.

LEGAL PROCEDURE (GENERAL).

Section 518.

In all places within Her Majesty's dominions except Scotland, the offences hereinafter mentioned shall be punished and penalties recovered in many following; (that is to say)

(1) Every offence by this act declared to be a misdemeanor shall be punishable by fine or imprisonment, with or without hard labour, and the court before which such

offence is tried may, in England, make the same allowances and order payment of the same costs and expenses as if such misdemeanor had been enumerated in the act passed in the seventh year of His late Majesty King George the Fourth, chapter sixty-four, or any other act that may be passed for the like purpose, and may in any other part of Her Majesty's dominions make such allowances and order payment of such costs and expenses (if any) as are payable or allowable upon the trial of any misdemeanor under any existing act or ordinance or as may be payable or allowable under any act or law for the time being in force therein.

(2) Every offence declared by this act to be a misdemeanor shall also be deemed to be an offence hereby made punishable by imprisonment for any period not exceeding six months, with or without hard labour, or by a penalty not exceeding one hundred pounds, and may be prosecuted accordingly in a summary manner, instead of being prosecuted as a misdemeanor.

(3) Every offence hereby made punishable by imprisonment for any period not exceeding six months, with or without hard labour, or by any penalty not exceeding one hundred pounds, shall, in England and Ireland, be prosecuted summarily before any two or more justices; as to England in the manner directed by the act of the eleventh and twelfth years of the reign of Her Majesty Queen Victoria, chapter forty-three, and as to Ireland in the manner directed by the act of the fourteenth and fifteenth years of the reign of Her Majesty Queen Victoria, chapter ninety-three, or in such other manner as may be directed by any act or acts that may be passed for like purposes. And all provisions contained in the said acts shall be applicable to such prosecutions in the same manner as if the offences in respect of which the same are instituted were hereby stated to be offences in respect of which two or more justices have power to convict summarily or to make a summary order.

(4) In all cases of summary convictions in England, where the sum adjudged to be paid exceeds five pounds, or the period of imprisonment adjudged exceeds one month, any person who thinks himself aggrieved by such conviction may appeal to the next court of general or quarter sessions.

(5) All offenses under this act shall in any British possession be punishable in any court or by any justice of the peace or magistrate in which or by whom offences of a like character are ordinarily punishable, or in such other manner, or by such other courts, justices, or magistrates, as may from time to time be determined by any act or ordinance duly made in such possession in such manner as acts and ordinances in such possession are required to be made in order to have the force of law.

Section 519.

Any stipendiary magistrate shall have full power to do alone whatever two justices of the peace are by this act authorised to do.

Section 520.

For the purpose of giving jurisdiction under this act, every offence shall be deemed to have been committed, and every cause of complaint to have arisen, either in the place in which the same actually was committed or arose, or in any place in which the offender or person complained against may be.

Section 521.

In all cases where any district within which any court or justice of the peace or other magistrate has jurisdiction, either under this act or under any other act or at common law, for any purpose whatever, is situate on the coast of any sea, or abutting on or projecting into any bay, channel, lake, river, or other navigable water, every such court, justice of the peace, or magistrate shall have jurisdiction over any ship or boat being on or lying or passing off such coast, or being in or near such bay, channel, lake, river, or navigable water as aforesaid, and over all persons on board such ship or boat, or for the time being belonging thereto, in the same manner as if such ship, boat, or persons were within the limits of the original jurisdiction of such court, justice, or magistrate.

Section 522.

Service of any summons or other matter in any legal proceeding under this act shall be good service, if made personally on the person to be served, or at his last place of abode, or if made by leaving such summons for him on board any ship to which he may belong with the person being or appearing to be in command or charge of such ship.

Section 523.

In all cases where any court, justice or justices of the peace, or other magistrate has or have power to make an order directing payment to be made of any seaman's wages, penalties, or other sums of money, then, if the party so directed to pay the same is the master or owner of a ship, and the same is not paid at the time and in manner prescribed in the order, the court, justice or justices, or other magistrate who made the order, may, in addition to any other powers they or he may have for the purpose of compelling payment, direct the amount remaining unpaid to be levied by distress or poinding and sale of the said ship, her tackle, furniture, and apparel.

Section 524.

Any court, justice, or magistrate imposing any penalty under this act, for which no specific application is herein provided, may, if it or he thinks fit, direct the whole or any part thereof to be applied in compensating any person for any wrong or damage which he may have sustained by the act or default in respect of which such penalty is imposed, or to be applied in or towards payment of the expenses of the proceedings; and, subject to such directions or specific application as aforesaid, all penalties recovered in the United Kingdom shall be paid into the receipt of Her Majesty's exchequer in such manner as the treasury may direct, and shall be carried to and form part of the consolidated fund of the United Kingdom; and all penalties recovered in any British possession shall be paid over into the public treasury of such possession, and form part of the public revenue thereof.

Section 525.

The time for instituting summary proceedings under this act shall be limited as follows; that is to say:

(1) No conviction for any offence shall be made under this act in any summary proceeding instituted in the United Kingdom, unless such proceeding is commenced within six months after the commission of the offence; or, if both or either of the parties to such proceeding happen during such time to be out of the United Kingdom, unless the same is commenced within two months after they both first happen to arrive, or to be at one time within the same.

(2) No conviction for any offence shall be made under this act in any proceeding instituted in any British possession, unless such proceeding is commenced within six months after the commission of the offence; or if both or either of the parties to the proceeding happen during such time not to be within the jurisdiction of any court capable of dealing with the case, unless the same is commenced within two months after they both first happen to arrive or to be at one time within such jurisdiction.

(3) No order for the payment of money shall be made under this act in any summary proceeding instituted in the United Kingdom, unless such proceeding is commenced within six months after the cause of complaint arises; or, if both or either of the parties happen during such time to be out of the United Kingdom, unless the same is commenced within six months after they both first happen to arrive or to be at one time within the same.

(4) No order for the payment of money shall be made under this act in any summary proceeding instituted in any British possession, unless such proceeding is commenced within six months after the cause of complaint arises; or, if both or either of the parties to the proceeding happen during such time not to be within the jurisdiction of any court capable of dealing with the case, unless the same is commenced within six months after they both first happen to arrive or be at one time within such jurisdiction.

And no provision contained in any other act or acts, ordinance or ordinances, for limiting the time within which summary proceedings may be instituted shall affect any summary proceeding under this act.

Section 526.

Any document required by this act to be executed in the presence of or to be attested by any witness or witnesses may be proved by the evidence of any person who is able to bear witness to the requisite facts, without calling the attesting witness or witnesses or any of them.

Section 527.

Whenever any injury has, in any part of the world, been caused to any property belonging to Her Majesty or to any of Her Majesty's subjects by any foreign ship, if at any time thereafter such ship is found in any port or river of the United

Kingdom or within three miles of the coast thereof, it shall be lawful for the judge of any court of record in the United Kingdom or for the judge of the high court of admiralty, or in Scotland the court of session, or the sheriff of the county within whose jurisdiction such ship may be, upon its being shown to him by any person applying summarily that such injury was probably caused by the misconduct or want of skill of the master or mariners of such ship, to issue an order directed to any officer of customs or other officer named by such judge, requiring him to detain such ship until such time as the owner, master, or consignee thereof has made satisfaction in respect of such injury, or has given security, to be approved by the judge, to abide the event of any action, suit, or other legal proceeding that may be instituted in respect of such injury, and to pay all costs and damages that may be awarded thereon; and any officer of customs or other officer to whom such order is directed shall detain such ship accordingly.

Section 528.

In any case where it appears that before any application can be made under the foregoing section such foreign ship will have departed beyond the limits therein mentioned, it shall be lawful for any commissioned officer on full pay in the military or naval service of Her Majesty, or any British officer of customs, or any British consular officer to detain such ship until such time as will allow such application to be made and the result thereof to be communicated to him; and no such officer shall be liable for any costs or damages in respect of such detention unless the same is proved to have been made without reasonable grounds.

Section 529.

In any action, suit, or other proceeding in relation to such injury, the person so giving security as aforesaid shall be made defendant or defender and shall be stated to be the owner of the ship that has occasioned such damage; and the production of the order of the judge made in relation to such security shall be conclusive evidence of the liability of such defendant or defender to such action, suit, or other proceeding.

LEGAL PROCEDURE (SCOTLAND).

Section 530.

In Scotland every offense which by this act is described as a felony or misdemeanor may be prosecuted by indictment or criminal letters at the instance of Her Majesty's advocate before the high court of justiciary, or by criminal libel at the instance of the procurator fiscal of the county before the sheriff, and shall be punishable with fine and with imprisonment, with or without hard labour in default of payment, or with imprisonment, with or without hard labour, or with both, as the court may think fit, or in the case of felony with penal servitude, where the court is competent thereto; and such court may also, if it think fit, order payment by the offender of the costs and expenses of the prosecution.

Section 531.

In Scotland, all prosecutions, complaints, actions, or proceedings under this act, other than prosecutions for felonies or misdemeanors, may be brought in a summary form before the sheriff of the county, or before any two justices of the peace of the county or burgh where the cause of such prosecution or action arises, or where the offender or defender may be for the time, and when of a criminal nature or for penalties, at the instance of the procurator fiscal of court, or at the instance of any party aggrieved, with concurrence of the procurator fiscal of court; and the court may, if it think fit, order payment by the offender or defender of the costs of the prosecution or action.

Section 532.

In Scotland all prosecutions, complaints, actions, or other proceedings under this act may be brought either in a written or printed form, or partly written and partly printed, and where such proceedings are brought in a summary form it shall not be necessary in the complaint to recite or set forth the clause or clauses of the act on which such proceeding is founded, but it shall be sufficient to specify or refer to such clause or clauses, and to set forth shortly the cause of complaint or action, and the remedy sought; and when such complaint or action is brought in whole or in part for the enforcement of a pecuniary debt or demand, the complaint may contain a prayer for warrant to arrest upon the dependence.

Section 533.

In Scotland, on any complaint or other proceeding brought in a summary form under this act being presented to the sheriff clerk or clerk of the peace, he shall grant warrant to cite the defender to appear personally before the said sheriff or justice of the peace on a day fixed, and at the same time shall appoint a copy of the same to be delivered to him by a sheriff officer or constable, as the case may be, along with the citation; and such deliverance shall also contain a warrant for citing witnesses and havers to compear at the same time and place to give evidence and produce such writs as may be specified in their citation; and where such warrant has been prayed for in the complaint or other proceeding, the deliverance of the sheriff clerk or clerk of the peace shall also contain warrant to arrest upon the dependence in common form: *Provided always*, That where the apprehension of any party, with or without a warrant, is authorized by this act, such party may be detained in custody until he can be brought at the earliest opportunity before any two justices, or the sheriff who may have jurisdiction in the place, to be dealt with as this act directs, and no citation or induciæ shall in such case be necessary.

Section 534.

When it becomes necessary to execute such arrestment on the dependence against goods or effects of the defender within Scotland, but not locally situated within the jurisdiction of the sheriff or justice of the peace by whom the warrant to arrest has been granted, it shall be competent to carry the warrant into execution on its being indorsed by the sheriff clerk or clerk of the peace of the county or burgh respectively within which such warrant comes to be executed.

Section 535.

In all proceedings under this act in Scotland the sheriff or justices of the peace shall have the same power of compelling attendance of witnesses and havers as in cases falling under their ordinary jurisdiction.

Section 536.

The whole procedure in cases brought in a summary form before the sheriff or justices of the peace in Scotland shall be conducted viva voce, without written pleadings, and without taking down the evidence in writing, and no record shall be kept of the proceedings other than the complaint, and the sentence or decree pronounced thereon.

Section 537.

It shall be in the power of the sheriff or justices of the peace in Scotland to adjourn the proceedings from time to time to any day or days to be fixed by them, in the event of absence of witnesses or of any other cause which shall appear to them to render such adjournment necessary.

Section 538.

In Scotland all sentences and decrees to be pronounced by the sheriff or justices of the peace upon such summary complaints shall be in writing; and where there is a decree for payment of any sum or sums of money against a defender, such decree shall contain warrant for arrestment, poinding, and imprisonment in default of payment, such arrestment, poinding, or imprisonment to be carried into effect by sheriffs, officers, or constables, as the case may be, in the same manner as in cases arising under the ordinary jurisdiction in the sheriff or justices: *Provided always*, That nothing herein contained shall be taken or construed to repeal or affect an act of the fifth and sixth years of William the Fourth, intituled "An act for abolishing, in Scotland, imprisonment for civil debts of small amount."

Section 539.

In all summary complaints and proceedings for recovery of any penalty or sum of money in Scotland, if a defender who has been duly cited shall not appear at the time and place required by the citation, he shall be held as confessed, and sentence or decree shall be pronounced against him in terms of the complaint, with such costs and expenses as to the court shall seem fit: *Provided always*, That he shall be entitled to obtain himself reponed against any such decree at any time before the same be fully implemented, by lodging with the clerk of court a reponing note, and consigning in his hands the sum decerned for, and the costs which had been awarded by the court, and on the same day delivering or transmitting through the post to the pursuer or his agent a copy of such reponing note; and a certificate by the clerk of court of such note having been lodged shall operate as a sist of diligence till the cause shall have been reheard and finally disposed of, which shall be on the next sitting of the court, or on any day to which the court shall then adjourn it.

Section 540.

In all summary complaints or other proceedings not brought for the recovery of any penalty or sum of money in Scotland, if a defender, being duly cited, shall fail to appear, the sheriff or justices may grant warrant to apprehend and bring him before the court.

Section 541.

In all cases where sentences or decrees of the sheriff or justices require to be enforced within Scotland, but beyond the jurisdiction of the sheriff or justices by whom such sentences or decrees have been pronounced, it shall be competent to carry the same into execution upon the same being indorsed by the sheriff clerk or clerk of the peace of the county or burgh within which such execution is to take place.

Section 542.

No order, decree, or sentence pronounced by any sheriff or justice of the peace in Scotland under the authority of this act shall be quashed or vacated for any misnomer, informality, or defect of form; and all orders, decrees, and sentences so pronounced shall be final and conclusive, and not subject to suspension, advocation, reduction, or to any form of review or stay of execution, except on the ground of corruption or malice on the part of the sheriff or justices, in which case the suspension, advocation, or reduction must be brought within fourteen days of the date of the order, decree, or sentence complained of: *Provided always*, That no stay of execution shall be competent to the effect of preventing immediate execution of such order, decree, or sentence.

Section 543.

Such of the general provisions with respect to jurisdiction, precedure, and penalties contained in this act as are not inconsistent with the special rules hereinbefore laid down for the conduct of legal proceedings and the recovery of penalties in Scotland, shall, so far as the same are applicable, extend to such last-mentioned proceedings and penalties: *Provided always*, That nothing in this act contained shall be held in any way to annul or restrict the common law of Scotland with regard to the prosecution or punishment of offences at the instance or by the direction of the lord advocate, or the rights of owners or creditors in regard to enforcing a judicial sale of any ship and tackle, or to give to the high court of admiralty of England any jurisdiction in respect of salvage in Scotland which it has not heretofore had or exercised.

ENACTMENT OF MERCHANT SHIPPING ACT, 1876 (39 AND 40 VICT., C. 80.), APPLIED.

Section 34.

Where under the merchant shipping acts, 1854 to 1876, or any of them, a ship is authorised or ordered to be detained, any commissioned officer on full pay in the naval or military service of Her Majesty, or any officer of the board of trade or customs, or any British consular officer may detain the ship, and if the ship after such detention or after service on the master of any notice of or order for such detention proceeds to sea before it is released by competent authority, the master of the ship, and also the owner, and any person who sends the ship to sea, if such owner or person be party or privy to the offence, shall forfeit and pay to Her Majesty a penalty not exceeding one hundred pounds.

Where a ship so proceeding to sea takes to sea when on board thereof in the execution of his duty any officer authorised to detain the ship, or any surveyor or officer of the board of trade or customs, the owner and master of the ship shall each be liable to pay all expenses of and incidental to the officer or surveyor being so taken to sea, and also a penalty not exceeding one hundred pounds, or, if the offence is not prosecuted in a summary manner, not exceeding ten pounds for every day until the officer or surveyor returns, or until such time as would enable him after leaving the ship to return to the port from which he is taken, and such expenses may be recovered in like manner as the penalty.

No. 66.

Mr. Gresham to Mr. Bayard.

[Telegram.]

DEPARTMENT OF STATE,
Washington, April 4, 1894.

Bill which passed Senate yesterday contains nothing but provisions for enforcement of regulations. House committee unanimously instructed its chairman to move suspension of rules and pass bill immediately. At all events, bill will be a law this week.

No. 67.

Mr. Gresham to Mr. Bayard.

[Telegram.]

DEPARTMENT OF STATE,
Washington, April 5, 1894.

Bill for enforcing Bering Sea award has passed both Houses.

No. 68.

Sir Julian Pauncefote to Mr. Gresham.

WASHINGTON, *April 5, 1894.*

SIR: On the 8th ultimo I had the honor to place in your hands confidentially, by desire of Her Majesty's principal secretary of state for foreign affairs, a draft of a bill which Her Majesty's Government proposed to introduce into Parliament to give effect to the fur-seal fishery regulations prescribed by the award of the Bering Sea Tribunal of Arbitration. Since that date negotiations have been proceeding with reference, first, to the adoption of a modus vivendi during the present year in order to give longer time to elaborate and complete the necessary legislation in both countries; secondly, to the settlement of the Bering Sea claims which were laid before the Tribunal of Arbitration; and thirdly, to a proposed conference of the four powers mostly interested in the fur-seal fishery to consider what regulations, applicable not only on the high seas but within the sovereignty of each power, it might be expedient to adopt in accordance with the first declaration appended to the award.

Those negotiations continued up to the 2d instant, when you informed me that the President had arrived at the conclusion that it would be better to abandon the proposed modus vivendi, as he now believed that both Governments would be able to complete their legislation before the commencement of the close season prescribed by the award, namely the 1st of May; you added that a bill would be pressed through Congress at once for that purpose. I accordingly informed the Earl of Kimberley of the President's views and I learned that the British legislation is proceeding with the utmost rapidity with a view to its coming into force on the 1st of May.

I have now received instructions from Lord Kimberley to propose to you that we should at once proceed to discuss the best mode of carrying out articles 4 and 7 of the regulations prescribed by the award.

A delegate from Canada, as previously arranged, is prepared to come to Washington to assist me in the discussion of the details in question, which are now very pressing, and as to which it is manifestly desirable that the two Governments should secure as much similarity of treatment as possible.

I should be much obliged therefore if you would kindly inform me whether this proposal is agreeable to you, and if so on what date it will be convenient to you to hold our first meeting.

I have, etc.,

JULIAN PAUNCEFOTE.

No. 69.

Mr. Bayard to Mr. Gresham.

[Telegram.]

LONDON, *April 6, 1894.*

Everything indicates early passage bill to enforce award. Please send copies United States statutes upon the subject.

No. 70.

Mr. Bayard to Mr. Gresham.

EMBASSY OF THE UNITED STATES,
London, April 6, 1894. (Received April 16.)

SIR: Referring to my dispatch of the 4th instant, I have now the honor to acknowledge your telegram of the 5th (which was delivered to-day), relating to the legislative enforcement of the Bering Sea award.

In connection with the subject, I inclose the copy of the note I received from Lord Kimberley on the night of the 4th instant and of my reply on the day following.

The indications now are that the measure will be acted on on Monday next, and probably with no further opposition, although they are awaiting "points" expecting to be made by the Canadian government, whose efforts in the matter would not seem to be dictated by any strong desire to carry out the obligations under which the arbitration came into being.

I have, etc.,

T. F. BAYARD.

[Inclosure 1 in No. 70.]

Lord Kimberley to Mr. Bayard.

FOREIGN OFFICE, *April 4, 1894.*

DEAR MR. BAYARD: I find from an interchange of telegrams with Sir Julian Pauncefote that he misled me as to the amendments in the United States bill for carrying out the Bering Sea award, to which I referred at my interview with you on the 2d instant.

I inclose for your information the United States bill as I understand it now to stand passed, and I also send you a copy of our bill as to-day amended.

You will see that in section 2, paragraph (1), one of the "mays" to which you objected has been taken out and a "shall" has been substituted with other words, and an amendment has been inserted in section 3, paragraph (3).

Believe, me, etc., KIMBERLEY.

[Inclosure 2 in No. 70.]

Mr. Bayard to Lord Kimberley.

EMBASSY OF THE UNITED STATES,
London, April 5, 1894.

DEAR LORD KIMBERLEY: Let me thank you for your note of last night, and the copies of the British measure, and that of the United States, to put in operative force the regulations determined and established by the Paris Tribunal of Arbitration.

I have just been informed by my Government of the passage by the Senate, on the day before yesterday, of a bill for the plenary enforcement of these regulations, and that the bill will, by the concurrence of the House of Representatives, become a law before this week expires.

From such examination as I have been enabled to bestow, since your kindness permitted me to compare the provisions of the proposed measures of the respective Governments, I am disposed to believe that these two measures will, when carried out in that good faith which has animated both the high contracting parties in this important transaction, secure full and faithful compliance with the award of the Tribunal of Arbitration.

Of course time is now the essence of the transaction, as the sealing season has already opened and the proposed close season is but three weeks off, so that every opportunity for friction or misapprehension should be carefully guarded against.

Let us hope the legislative action of the two Governments will proceed pari passu, and with that promptitude and absence of delay which should accompany the abitrament to its close.

Believe me, etc., T. F. BAYARD.

No. 71.

Sir Julian Pauncefote to Mr. Gresham.

WASHINGTON, *April 9, 1894.*

DEAR MR. GRESHAM: With reference to our conversation of this morning respecting section 7 of the British act to give effect to the Bering Sea award, I have much pleasure in informing you that I have just received a telegram from the Earl of Kimberley which will, I trust, remove all misapprehension as to the meaning and effect of that provision.

Lord Kimberley desires me to give you the assurance that the clause in question will not prevent the seizure of British sealers violating the regulations of the award, and that the question of notice will only arise at the trial. In fact such sealers will be dealt with by the British cruisers as if they had received notice of the regulations, and it will be left to the court to decide the question of notice as affecting only the liability of the defendants to penalties. I am to add that the instructions to the British cruisers will be explicit in the above sense.

I remain, etc.,

JULIAN PAUNCEFOTE.

No. 72.

Mr. Gresham to Mr. Bayard.

[Telegram.]

DEPARTMENT OF STATE,
Washington, April 9, 1894.

Omitting the preamble in which the reported regulations are set out literally, the following is the bill to give effect to the award of the Paris Tribunal as passed and approved:

That no citizen of the United States, or person owing the duty of obedience to the laws or the treaties of the United States, nor any person belonging to or on board of a vessel of the United States, shall kill, capture, or pursue, at any time, or in any manner whatever, outside of territorial waters, any fur seal in the waters surrounding Pribilov Islands within a zone of sixty geographical miles (sixty to a degree of latitude) around said islands, exclusive of the territorial waters.

SEC. 2. That no citizen of the United States, or person above described in section one of this act, nor any person belonging to or on board of a vessel of the United States, shall kill, capture, or pursue, in any manner whatever, during the season extending from the first day of May to the thirty-first day of July, both inclusive, in each year, any fur seal on the high seas outside of the zone mentioned in section one and in that part of the Pacific Ocean, including Behring Sea, which is situated to the north of the thirty-fifth degree of north latitude and to the east of the one hundred and eightieth degree of longitude from Greenwich until it strikes the water boundary described in article one of the treaty of eighteen hundred and sixty-seven, between the United States and Russia, and following that line up to Behring Straits.

SEC. 3. No citizen of the United States or person above described, in the first section of this Act, shall, during the period and in the waters in which by section two of this Act the killing of fur-seals is not prohibited, use or employ any vessel, nor shall any vessel of the United States be used or employed, in carrying on or taking part in fur-seal fishing operations, other than a sailing vessel propelled by sails exclusively, and such canoes or undecked boats, propelled by paddles, oars, or sails as may belong to, and be used in connection with, such sailing vessel; nor shall any sailing vessel carry on or take part in such operations without a special license obtained from the Government for that purpose, and without carrying a distinctive flag prescribed by the Government for the same purpose.

SEC. 4. That every master of a vessel licensed under this act to engage in fur-seal fishing operations shall accurately enter in his official log book the date and place of every such operation, and also the number and sex of the seals captured each day; and on coming into port, and before landing cargo, the master shall verify, on oath, such official log book as containing a full and true statement of the number and character of his fur-seal fishing operations, including the number and sex of seals captured; and for any false statement willfully made by a person so licensed by the United States in this behalf he shall be subject to the penalties of perjury; and any seal skins found in excess of the statement in the official log book shall be forfeited to the United States.

SEC. 5. That no person or vessel engaging in fur-seal fishing operations under this Act shall use or employ in any such operations, any net, firearm, airgun, or explosive: *Provided however*, That this prohibition shall not apply to the use of shotguns in such operations outside of Behring Sea during the season when the killing of fur seals is not there prohibited by this Act.

SEC. 6. That the foregoing sections of this act shall not apply to Indians dwelling on the coast of the United States, and taking fur seals in canoes or undecked boats propelled wholly by paddles, oars, or sails, and not transported by or used in connection with other vessels, or manned by more than five persons, in the manner heretofore practiced by the said Indians: *Provided, however*, That the exception made in this section shall not apply to Indians in the employment of other persons, or who shall kill, capture, or pursue fur seals outside of territorial waters under contract to deliver the skins to other persons, nor to the waters of Behring Sea or of the passes between the Aleutian Islands.

SEC. 7. That the President shall have power to make regulations respecting the special license and the distinctive flag mentioned in this Act and regulations otherwise suitable to secure the due execution of the provisions of this act, and from time to time to add to, modify, amend, or revoke such regulations, as in his judgment may seem expedient.

SEC. 8. That, except in the case of a master making a false statement under oath in violation of the provisions of the fourth section of this Act, every person guilty of a violation of the provisions of this Act, or of the regulations made thereunder, shall for each offense be fined not less than two hundred dollars, or imprisoned not more than six months, or both; and all vessels, their tackle, apparel, furniture, and cargo, at any time used or employed in violation of this Act, or of the regulations made thereunder, shall be forfeited to the United States.

SEC. 9. That any violation of this Act, or of the regulations made thereunder, may be prosecuted either in the district court of Alaska or in any district court of the United States in California, Oregon, or Washington.

SEC. 10. That if any unlicensed vessel of the United States shall be found within the waters to which this Act applies, and at a time when the killing of fur seals is by this Act there prohibited, having on board seal skins or bodies of seals, or apparatus or implements suitable for killing or taking seals; or if any licensed vessel shall be found in the waters to which this Act applies, having on board apparatus or implements suitable for taking seals, but forbidden then and there to be used, it shall be presumed that the vessel in the one case and the apparatus or implements in the other was or were used in violation of this Act until it is otherwise sufficiently proved.

SEC. 11. That it shall be the duty of the President to cause a sufficient naval force to cruise in the waters to which this Act is applicable to enforce its provisions, and it shall be the duty of the commanding officer of any vessel belonging to the naval or revenue service of the United States, when so instructed by the President, to seize and arrest all vessels of the United States found by him to be engaged, used, or employed in the waters last aforesaid in violation of any of the prohibitions of this Act, or of any regulations made thereunder, and to take the same, with all persons on board thereof, to the most convenient port in any district of the United States mentioned in this Act, there to be dealt with according to law.

SEC. 12. That any vessel or citizen of the United States, or person described in the first section of this Act, offending against the prohibitions of this Act or the regulations thereunder, may be seized and detained by the naval or other duly commissioned officers of Her Majesty the Queen of Great Britain, but when so seized and detained they shall be delivered as soon as practicable, with any witnesses and proofs on board, to any naval or revenue officer or other authorities of the United States, whose courts alone shall have jurisdiction to try the offense and impose the penalties for the same: *Provided, however,* That British officers shall arrest and detain vessels and persons as in this section specified only after, by appropriate legislation, Great Britain shall have authorized officers of the United States duly commissioned and instructed by the President to that end to arrest, detain, and deliver to the authorities of Great Britain vessels and subjects of that Government offending against statutes or regulations of Great Britain enacted or made to enforce the award of the treaty mentioned in the title of this Act.

Approved, April 6, 1894.

No. 73.

Mr. Gresham to Sir Julian Pauncefote.

DEPARTMENT OF STATE,
Washington, April 10, 1894.

EXCELLENCY: Owing to illness, from which I have not fully recovered, I shall at this time content myself with a partial reply to your note of the 5th instant.

It was after Her Majesty's Government had refused its assent to one or more offers of this Government to enter into a modus vivendi (the terms of which seemed not unfair to you) for the protection for one year of the waters described in the first and second regulations reported by the Tribunal of Arbitration, thus affording the two Governments more time for the enforcement of the award by appropriate legislation or otherwise, that I informed you on the 2d instant the President, in view of the near approach of the close season, had arrived at the conclusion that negotiations for a temporary agreement had better be abandoned and our efforts directed to obtaining the requisite legislation before the first of May.

I also informed you at the same time of my confident belief that a bill fully satisfying the requirements of the award on the part of the United States would speedily pass Congress, and that the President would not permit himself to doubt Her Majesty's Government would be equally prompt in obtaining similar legislation from Parliament.

The bill, a copy of which I inclose herewith, passed the Senate on the 3d instant, the House of Representatives two days later, and on the 6th instant was approved by the President.*

Her Majesty's Government will not fail to see in its provisions evidence of an earnest desire and fixed determination on the part of this Government to observe and enforce the treaty and award in letter and spirit, and I need hardly say the President heard with satisfaction your assurance that British legislation of a similar character was proceeding with the utmost rapidity, with the view of having it in force before the beginning of the close season. In this connection I venture to repeat some of the observations which I made in one of our interviews a few days after you unofficially placed in my hands, on the 8th ultimo, a draft of a bill which you informed me Her Majesty's Government proposed to introduce into Parliament to give effect to the Paris award.

After providing that the regulations shall have the same force and effect as if therein set out, the first section declares that any person violating its provisions shall be deemed guilty of a misdemeanor within the meaning of the merchant's shipping act of 1854, and the ship employed in such contravention, and her equipment, and everything on board thereof, shall be liable to be forfeited as if the offense had been committed under another merchant act, "provided that the court, without prejudice to any other power, may release the ship, equipment, or thing on payment of a fine not exceeding five hundred pounds." The penalty prescribed in the shipping act for a misdemeanor is a fine not exceeding one hundred pounds.

Should this bill become a law, the court will have discretion to punish offenders with nominal fines, and release ships employed in contravention of the act on payment of like fine. In the opinion of this Government these penalties are not sufficiently severe to deter lawless men from trespassing upon the inhabited waters, and you will observe that the act of Congress referred to provides for the absolute forfeiture of ships employed in taking or hunting seals in violation of the award.

In reply to my statement that, while the draft authorized any commissioned officer on full pay in the naval service of Her Majesty to seize offending ships, it nowhere made it the duty of such officers to do so. You stated that, although you did not think the draft was fairly open to this objection, orders in council and instructions which would be issued to the proper officers would impose that duty upon them.

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* See inclosure in No. 72.

Subsection 2 of section 7 reads:

> Where, on any proceeding against a person or ship in respect of any offense under this act, it is proved that the ship sailed from its port of departure before the scheduled provisions were published there, and that such person, or the master of the ship, did not subsequently and before such alleged offense receive notice of these provisions, such person shall be acquitted and the ship shall be released and not forfeited.

This provision is doubtless intended to protect against loss Canadians who may engage in sealing in the inhibited waters during the approaching close season, and when I informed you it was for that reason disappointing to this Government, you stated that it would be unfair to forfeit ships for violating a law which their owners and masters did not know was in force, and that you thought each Government was at liberty to enact such legislation as in its judgment would fully execute the award. I replied that when the Canadian sealers left their home ports their masters were not ignorant of the provisions of the treaty and the award; that they then knew both Governments were bound to adopt measures for the enforcement of the regulations before the first of May; that they no doubt departed contemplating this would be done; that this Government would provide no immunity for its citizens during the approaching close season, and that Her Majesty's Government should seek none for her subjects. I remarked further that the two Governments were alike bound to give effect to the award; that each was interested in the means employed by the other for that purpose, and you expressed, as you had on former occasions, the gratifying assurance that Great Britain would not fail to enact a law for due and timely execution of both the treaty and the award.

In your note you say you are instructed by Lord Kimberley to propose that we at once proceed to discuss the best mode of carrying out articles 4 and 7 of the regulations prescribed by the award, and request that I name a day for that purpose, as you desire a Canadian shall come to Washington to assist in the details in question, which are now very pressing, and as to which it is manifestly desirable the two Governments should secure as much similarity of treatment as possible.

In reply to your request I am instructed by the President to suggest that the proposed negotiations can be entered upon to so much better advantage when the statutes of both Governments are before us, that it is advisable to postpone the conference until the bill now pending in Parliament has become a law, and its exact provisions have been ascertained.

I do not anticipate difficulty in then reaching an understanding alike satisfactory to both Governments upon any remaining questions growing out of the treaty and award or properly related to them.

I have the honor to be, with the highest consideration, Mr. Ambassador,

Your obedient servant, W. Q. GRESHAM.

No. 74.

Mr. Bayard to Mr. Gresham.

[Telegram.]

LONDON, *April 10, 1894.*

Yesterday I again impressed upon British minister for foreign affairs injustice and objectionable nature of provision requiring previous notice to sealing vessels. Last night in debate attorney-general said clause had been entirely misunderstood in the United States, and declared imperial obligation was imposed on Great Britain, and if Canada should not consent still Imperial Government would loyally carry award into effect. Leaders of opposition join with Government in declaring honor of the country involved in carrying out award. The text of the act of Congress has been received.

No. 75.

Sir Julian Pauncefote to Mr. Gresham.

BRITISH EMBASSY,
Washington, April 11, 1894.

SIR: I have the honor to acknowledge the receipt of your note of yesterday's date and to express my regret at the cause which, as you inform me, prevents you from entering more fully at present into the subject of my note to you of the 5th instant.

I have acquainted my Government by telegram with the grounds on which the President suggests that the proposed discussion as to the best mode of carrying out the fourth and seventh articles of the Bering Sea award should be deferred.

I desire to take this opportunity of correcting a misapprehension which appears to have arisen as regards the abandonment of the proposals for a modus vivendi.

I have no recollection of Her Majesty's Government having refused to assent to any reasonable proposal on the subject.

They originally expressed their willingness to agree to a renewal for one year of the existing modus vivendi, which closes up the whole of Bering Sea, but your Government thought this proposal insufficient, and desired that the whole of the waters covered by the award should be similarly closed. Her Majesty's Government considered so great an extension of the present modus vivendi unnecessary, and, as the result of further negotiations, an arrangement was drawn up under which the close season of three months prescribed by the award (from May 1 to July 31) should be put in force under the existing legislation in both countries, as far south as the forty-second degree, that being the limit of the British statutory power, and no seals being found after the 1st of May below that degree. This was tantamount to the enforcement of the close season prescribed by the award. It was also provided that if the two powers should not have completed the necessary legislation before the 1st of August, the close season should continue for such further period as the powers should think necessary for that purpose.

The above modus vivendi (which was part of a larger arrangement embracing other matters) was accepted by both powers, but Her Majesty's Government, in order to obviate any future misunderstanding, desired to stipulate that if the British legislation should be completed by the 1st of August the seas should be open to British sealers whether, at that date, the legislation of the United States was complete or not.

This stipulation was objected to by the President on the ground, as I understood, that it implied a possible tardiness on the part of the United States Government in perfecting its legislation. I offered, therefore, to substitute a clause providing that the close season should continue, as regards the vessels, subjects, or citizens of either power, whose legislation might not have been completed by that date, until such power should have carried out its obligations in that respect.

But these suggestions were of no avail, and on the 2d instant you informed me that the President had decided to abandon the modus vivendi, and to proceed with legislation to enforce the whole award.

I am unable, therefore, to concur in the statement at the commencement of your note that Her Majesty's Government refused their assent to one or more offers of your Government to enter into a modus vivendi.

At the same time I did not intend to complain of the action of your Government in abandoning the the modus vivendi, as it has been found practicable by both powers to dispense with it by timely legislation.

Turning now to the objections stated in your note to certain provisions of the British bill to carry out the award, I beg leave to make the following observations:

As regards the penalties proposed by the bill, I remember your pointing out to me that they were less deterrent than those imposed by the legislation of the United States, which gave no discretion to the courts. but enacted absolute forfeiture of the vessel for breach of the regulations and "minimum" fines. This led to an academic discussion on the system of "minimum" punishments, which, I observed, was not favored in British legislation. I certainly understood your remarks in the light of mere criticism and not of serious objection, as it must be assumed that the British courts would not do otherwise than impose adequate punishments.

As regards the objection to the phraseology of section 1, relating to the seizure of ships, I observed that in my opinion the word "may" would be construed as imperative, and that, in any case, the instructions to the naval officers would probably remove all doubt on the point.

As regards the seventh section, which relates to the question of notice to the sealers of the regulations having been put into force, I trust that the assurances contained in my semiofficial communication of the 9th instant will have disposed of the objection to that provision, as they were evidently based on a misapprehension of its meaning and effect.

I beg to thank you, in conclusion, for the copies of the United States act to give effect to the award, which are transmitted in your note.

I have, etc.,

JULIAN PAUNCEFOTE.

No. 76.

Mr. Gresham to Mr. Bayard.

[Telegram.]

DEPARTMENT OF STATE,
Washington, April 11, 1891.

Secretary of the Navy will need copy of British act before preparing his instructions. As soon as it passes you will please telegraph full text, or so much as corresponds with section 12 of our act.

No. 77.

Mr. Bayard to Mr. Gresham.

EMBASSY OF THE UNITED STATES,
London, April 11, 1891. (Received April 23.)

SIR: The last dispatch I had the honor to address to you on the subject of the legislation to enforce the Bering Sea award and regulations was dated the 6th instant, and beg I leave now to inclose herewith a copy of a telegram I had the honor to send you on the same subject on the 10th instant.

Your telegram, transmitting the text of the act of Congress to enforce the award and regulations of the Paris Tribunal, commenced to reach me on Monday evening last and was completed that night, and I herewith inclose a full copy thereof.

I beg to draw your attention to the word "exclusive," in the last line of section 2, which purports to follow the phraseology of article 1 of the regulations, which, according to your telegram, are set out literally in the preamble to the act of Congress to enforce those regulations.

I presume "exclusive" is an error arising in the telegraphic transmission, and that in the text of the statute it is "inclusive," and in accordance with the regulations recited in the preamble.

While I have confidence that it is the full intention of this Government to carry out in equality of force and good faith the letter and spirit of their treaty stipulations, yet I have thought it best to supplement my personal conversation with Lord Kimberley by a note, which I have written him to-day, and a copy of which I herewith inclose.

I have, etc.,

T. F. BAYARD.

[Inclosure in No. 77.]

Mr. Bayard to Lord Kimberley.

APRIL 11, 1894.

DEAR LORD KIMBERLEY: The full text of the United States statute carrying into effect the award and regulations of the Tribunal of Arbitration at Paris has been telegraphed to me, and I find (that as I had supposed) no exemption from the penalties prescribed therein is made in favor of any vessel or citizen of the United States who may have departed on a sealing voyage in the North Pacific or Bering Sea at any time since the award of the tribunal was announced at Paris on August 15 last, without further notification of the measures to put the award and regulations into operation.

As I have heretofore had the honor to bring to the attention of your lordship, no individuals are entitled to so little consideration by either of the two Governments, and none assuredly should be more swiftly visited with punishment than those who, from the nature of their occupation, had the fullest knowledge, and means of knowledge, of the public and careful stipulations of the two Governments in their convention of February, 1892.

The expressions in debate by the attorney-general and of leading members on both sides of the House give me great confidence that the Government of Her Majesty will equally and explicitly enforce the award, as that of the United States has already done, so that no pretext can be left for reflection upon the practice of arbitration or its unimpeachable execution in the present important case.

Believe me, etc.,

T. F. BAYARD.

No. 78.

Sir Julian Pauncefote to Mr. Gresham.

WASHINGTON, *April 12, 1894.*

DEAR MR. GRESHAM: With reference to my previous letter of the 5th instant respecting the meaning and effect of section 7 (2) of the bill now before Parliament in England, to carry out the Bering Sea award, I beg to inform you that I have received a telegram from the Earl of Kimberley in which he inquired whether you are aware that the publication of the schedule provisions mentioned in that clause means the publication of the provisions of the award and not the publication of the act of Parliament to give effect to them.

This further explanation will, I should think, dispose of all objections to the phraseology of the clause.

I am, etc., JULIAN PAUNCEFOTE.

[Inclosure in No. 78.]

In clause 7, subclause 2, of the British bill the following phrase occurs:

"Where * * * it is proved that the ship sailed from its port of departure before the scheduled provisions were published there," etc. The publication referred to is that of the provisions of the award, not that of the bill.

No. 79.

Mr. Gresham to Mr. Bayard.

[Telegram.]

WASHINGTON, *April 13, 1894.*

British ambassador informs me he has telegram from Earl of Kimberley saying the words "scheduled provisions," mentioned in seventh section of pending British bill, mean the regulations of the award, and not the act to give effect to them. Doubt is entertained here of the correctness of this interpretation. When Sir Julian gave me copy of the bill I informed him that I did not think the seventh section would meet the just expectations of this Government. He replied the award was not self-executing; that it had not been put in force, and it would be unfair to forfeit ships which left their home ports when the regulations were not in force. The British Government seems to have changed its position.

No. 80.

Mr. Bayard to Mr. Gresham.

EMBASSY OF THE UNITED STATES,
London, April 13, 1894. (Received April 23, 1894.)

SIR: I have now the honor to acknowledge the receipt of your telegraphic instruction of to-day.

The inclosed report* of the proceedings in the House of Lords yesterday will show you that the bill to put in operation the award and regulations of the Paris Tribunal of Arbitration, having passed the House of Commons, had its second reading in the Lords, and will, as I suppose, be finally acted upon by that body next Monday.

Their methods of legislative procedure are not in formal accord with those of Congress, and there is no reference whatever in the debate in either house to the suggested discrimination from forfeiture of the sealers, who have sought by anticipation to violate the regulations imposed by the tribunal (and to the obedience to which national faith was internationally and mutually pledged). I am unable to state the exact provisions of the measure.

I will at once telegraph you the text of the act when it has been finally acted upon, and meanwhile,

I have, etc.,
T. F. BAYARD.

No. 81.

Mr. White to Mr. Gresham.

LEGATION OF THE UNITED STATES,
St. Petersburg, April 16, 1894. (Received May 2.)

SIR: I have the honor to acknowledge your instructions relative to the arrangement initiated between yourself and the Russian minister at Washington.

I have submitted the same to the foreign office here and find there a strong preference for their original proposal, namely, the adoption of the Russo-British modus vivendi by the United States and Russia, on the ground that this new form of proposal requires time for consideration by the various departments of the Russian Government interested, and therefore a delay, perhaps too long a delay, in notifying sealers would be necessitated.

I showed Count Kapnist, director of Asiatic affairs at the foreign office, with whom I had the interview, that the delays and difficulties in the matter had not been of our seeking, and gave him the reasons, as I conceive them, why you naturally desire the matter settled at Washington, as proposed in your dispatch above referred to.

I also showed him that with promptitude and expedition on the part of the Imperial Government very little delay would be caused, and I assured him that our Government simply desired a fair and speedy settlement of the question.

I am, etc.,
AND. D. WHITE.

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* Not printed.

No. 82.

[Note verbale.]

Sir Julian Pauncefote to Mr. Gresham.

BRITISH EMBASSY,
Washington, April 17, 1894. (Received April 17, 1894.)

The undersigned has the honor to inform the Secretary of State that he has received a telegram from the Earl of Kimberley to the effect that amendments have been made in articles 2 and 7 of the Bering Sea bill during its passage through the House of Lords which it is believed will entirely remove the objections raised by the United States Government.

As regards article 1, which relates to penalties, Lord Kimberley states that Her Majesty's Government have given their most careful consideration to the objections raised thereto.

The undersigned is instructed to assure the Secretary of State that Her Majesty's Government yield in no respect to the United States Government in their desire to carry out the award effectually, and they are satisfied that the provision in question is framed in the manner which will best secure that object.

JULIAN PAUNCEFOTE.

No. 83.

Mr. Gresham to Sir Julian Pauncefote.

DEPARTMENT OF STATE,
Washington, April 18, 1894.

The Secretary of State has read with satisfaction the note verbale of the British ambassador of yesterday saying that he has received a telegram from the Earl of Kimberley to the effect that amendments have been made in articles 2 and 7 of the Bering Sea bill during its passage through the House of Lords which it is believed will entirely remove the objections raised by the United States Government; that Her Majesty's Government have given their most careful consideration to the objections raised by the United States to article 1 of the bill, and that he is instructed to assure the undersigned that Her Majesty's Government yield in no respect to the United States Government in their desire to carry out the award effectually, and they are satisfied the provision in question is framed in a manner which will best secure that object.

No. 84.

Mr. Gresham to Sir Julian Pauncefote.

DEPARTMENT OF STATE,
Washington, April 18, 1894.

EXCELLENCY: There is a palpable error in the act of Congress entitled "An act to give effect to the award rendered by the Tribunal of Arbitration at Paris, under the treaty between the United States and Great Britain, concluded at Washington February 29, 1892, for the purpose of submitting to arbitration certain questions concerning the preservation of the fur seals," approved April 6, 1894.

The first regulation or article of the award provides that fur seal shall not be pursued or captured at any time within a zone of 60 geographical miles around the Pribilof Islands "inclusive of the territorial waters," plainly meaning 60 miles from the shore and not 60 miles beyond the 3-mile limit. In describing the zone in the first section of the act, however, the word exclusive was used instead of inclusive.

While the mistake is regretable it can lead to no embarrassment, as this Government construes section 1 as meaning precisely the same as article 1 of the award, and instructions to our naval commanders will be framed accordingly.

I have, etc., W. Q. GRESHAM.

No. 85.

Mr. Gresham to Sir Julian Pauncefote.

DEPARTMENT OF STATE,
Washington, April 18, 1894.

The Secretary of State presents his compliments to his excellency the British ambassador, and has the honor to hand him herewith a list of the vessels which are to compose the United States naval force in Bering Sea during the coming season, which has been sent him by the Secretary of the Navy in compliance with the request made him by Sir Julian Pauncefote.

[Inclosure in No. 85—List.]

U. S. S. *Mohican*, U. S. S. *Concord*, U. S. S. *Yorktown*, U. S. S. *Bennington*, U. S. S. *Ranger*, U. S. S. *Alert*, U. S. S. *Adams*, U. S. S. *Petrel*, U. S. S. *Albatross*, Revenue cutter *Bear*, Revenue cutter *Rush*, Revenue cutter *Corwin*.

No. 86.

Mr. Bayard to Mr. Gresham.

[Telegram.]

LONDON, *April 18, 1894.*

Act passed both houses; second section substitutes word "shall" for "may." Paragraph 3 of section 3 is verbatim: An order in council under this act may provide that such officers of the United States of America as are specified in the order may, in respect of offenses under this act, exercise the like powers under this act as may be exercised by a commissioned officer of Her Majesty in relation to a British ship and the equipment and certificate thereof, or such of those powers as appear to Her Majesty in council to be exercisable under the law of the United States of America against ships of the United States; and that such British officers as are specified in the order may exercise the powers conferred by this act, with any necessary modifications specified in the order, in relation to a ship of the United States of America and the equipment and certificate thereof. Order in council, regulating seizure of British sealing vessels by United States officers, now in preparation by admiralty. Copy promised in a day or two.

Second paragraph of section 7 is verbatim: Where, on any proceeding in any court against a person or a ship in respect of any offense under this act, it is proved that the ship sailed from its port of departure before the provisions of the award, mentioned in the first schedule of this act, were known there, and that such person or the master of the ship did not, after such sailing and before the alleged offense, become aware of those provisions, such persons shall be acquitted, and the ship shall be released and not forfeited.

No. 87.

Mr. Gresham to Sir Julian Pauncefote.

DEPARTMENT OF STATE,
Washington, April 20, 1894.

EXCELLENCY: I have had the honor to receive your note of the 11th instant, in response to mine of the 10th, relating partly to the inability of the two Governments to agree upon a reasonable and mutually satisfactory modus vivendi for the protection of seal life in Bering Sea and the North Pacific, and partly to certain details of the pending British bill to give effect to the award of the Paris Tribunal of Arbitration.

I note your expression of a desire to correct what you regard as a misapprehension touching the abandonment of the proposals for a modus vivendi, and your statement that you have no recollection of Her Majesty's Government having refused to assent to any reasonable proposal on the subject.

Now that the timely enactment by the United States of a statute to execute, on its part, the terms of the Paris award, and the adoption by Her Majesty's Government to the same end of legislation which I trust will be equally effective to give due force to the joint obligations of that award, have gone far toward removing the occasion for the proposed modus vivendi, consideration of the causes which led to the abandonment of negotiations for that object becomes retrospective and important only as affording a clearer appreciation of what has taken place. In this sense I understand your present statements, and am happy to contribute my share, so far as I may, to that desirable result.

Up to the time it was dropped, the negotiations for a modus had passed through various successive stages. Several proposals put forward by me, in conference, and which you regarded as reasonable and fair, when referred to your Government, were met by objections or counter proposals necessitating renewed efforts on our part to seek a basis for common agreement.

You will recall that on March 23, and in view of the dilatory causes which even then appeared to tend to defeat an agreement for the renewal of last year's modus vivendi with such amendment as was made necessary by the Paris award, I suggested that it might be better to cease efforts to reach a temporary understanding and proceed at once with all dispatch in obtaining needed legislation. Your instructions, communicated to me the same day, contemplated the continuance of negotiations for a modus, coincidently with the adoption of concurrent legislation, and to this I consented, but not without misgivings as to the outcome. Under these circumstances we proceeded to draw up the arrangement of March 24, providing:

1. That Her Britannic Majesty's Government should establish and enforce the close season in the North Pacific, including Bering Sea, which is prescribed by the Paris award, viz, during the months of May, June, and July, but not further south than the forty-second parallel.

2. That similar steps should be taken by the United States Government, under the then existing act of Congress.

3. That the two Governments should proceed forthwith with the necessary legislation to carry out the whole of the award, and that such legislation should be put in force immediately on the expiration of the close season—that is to say, on the 1st of August.

4. That if, owing to any unexpected delay, such legislation should not be completed so as to be put in force on the 1st of August, the close season should continue for such further period as the two Governments might think necessary for effecting that purpose.

5. That, as soon as the necessary legislation for carrying out of the whole of the award should be completed, a convention should be entered into by the two powers for the settlement of the Bering Sea claims.

6. That the two powers should immediately invite Russia and Japan to negotiate with them a quadruple convention for the adoption of international regulations for the preservation of the fur-seal species, and applicable within the sovereignty of the four powers as well as on the high seas.

You will recall the importance I attached to the insertion of the fourth proviso of the foregoing proposal, and your acquiescence therein, in our conference on the morning of March 24. You then stated that you saw no objection to such a provision; indeed, you thought it would be fair, and you said you had reason to believe that Lord Kimberley would agree to it.

Upon this understanding you reduced the arrangement to writing, including my amendment, and the same afternoon, upon learning the President's acquiescence in its terms, you telegraphed its text to Lord Kimberley.

The proposal so accepted by us in the name of our respective Governments, and which we justly regarded as a final disposition of the matter, proved to be no exception to the general dilatory course of the negotiation theretofore, inasmuch as a day or two later you submitted a counter proposition on the part of Her Majesty's Government, modifying the essential terms suggested by me and which you had been pleased to regard as reasonable and fair. Your present note recites that counter proposition, being to the effect that "if the British legislation should be completed by the 1st of August the seas should be open to British sealers whether, at that date, the legislation of the United States were completed or not."

The President's objection to the counter proposition lay, not so much, as you understand, on the ground that it implied a possible tardiness on the part of the United States in perfecting their legislation (a needless, gratuitous implication, be it observed, in view of the interest no less than the good faith which prompted immediate legislation on our part) as because it was one-sided and tantamount to a rejection of the stipulation which I had advanced as indispensable.

Thereupon you brought forward another proposition similarly one-sided, in that it provided for the continuance of the modus only as regards the vessels, subjects, or citizens of the power which might not by the 31st of July have carried out by legislation its obligations under the Paris award.

All efforts in this direction having so far proved abortive, my reasonable proposal of March 24 having been refused and the opening of the sealing season being close at hand, immediate action was forced upon the President, and I was directed by him to acquaint you with the purpose of the Government to proceed at once with legislation which, on its part, would fully meet the obligations of the Paris award. How abundantly able this Government was to carry out those obligations is shown by the passage through both Houses of Congress of the bill which was introduced in the Senate on April 2, and became a law by the President's approval only four days later.

The amended British bill for the enforcement of the Paris award, which this Government is pleased to learn has passed both Houses of Parliament, and the explicit and gratifying assurances of the course to be pursued by Her Majesty's Government, have allayed the apprehensions which I expressed to you touching the efficiency of the measure as it was originally prepared and submitted to this Government for its consideration.

I have, etc.,

W. Q. GRESHAM.

No. 88.

Mr. Bayard to Mr. Gresham.

[Telegram.]

LONDON, *April 21, 1894.*

Draft of naval instructions forwarded by the dispatch bag to day. Please send names of the United States vessels, and if possible their commanders, designated to police North Pacific Ocean and Bering Sea.

No. 89.

Sir Julian Pauncefote to Mr. Gresham.

WASHINGTON, *April 23, 1894.* (Received April 24, 1894.)

SIR: I have the honor to acknowledge the receipt of your note of the 20th instant, in which you are good enough to enter at some length into the reasons which led to the abandonment of the modus vivendi proposed on the 24th of March, and the acceptance of which by my Government was communicated to you on the 28th of that month.

I am unable to modify the views expressed in my note of the 11th instant, regarding the statement to which I ventured to take exception, namely, that it was after Her Majesty's Government had refused its assent to one or more offers of your Government to enter into a modus vivendi that the arrangement, which is set out at length in your note, was abandoned.

I have no desire to prolong the correspondence on this subject, but I think it my duty to point out that the stipulation made by my Government in accepting the arrangement, that the close season should only continue as regards the subjects or citizens of the power whose legislation should not be completed before the 1st of August, was in no manner inconsistent with the substance or spirit of the arrangement, but was merely designed to meet a contingency, which had been left unprovided for.

The Earl of Kimberley, in instructing me to make that stipulation, informed me that he had mentioned it to Mr. Bayard, who seemed to think it reasonable.

I regret that it should have been viewed by your Government in any other light, and that any difference of opinion should have arisen on this point, but it gives me pleasure to think that, owing to the liberal and conciliatory spirit in which our negotiations have been conducted on your side, they have given rise to so little disagreement.

I have the honor to be, etc.,

JULIAN PAUNCEFOTE.

No. 90.

Mr. Uhl to Mr. Bayard.

DEPARTMENT OF STATE,
Washington, April 25, 1894.

SIR: I inclose herewith copy of communication addressed by Secretary Herbert to the British ambassador at this capital on the 19th instant, giving a complete list of the officers who will have charge of our cruisers in Bering Sea and the North Pacific Ocean during the present season.

I am, etc.,

EDWIN F. UHL,
Acting Secretary.

[Inclosure in No. 90.]

Mr. Herbert to Mr. Gresham.

NAVY DEPARTMENT,
Washington, April 21, 1894.

SIR: I have the honor to transmit herewith a copy of a letter, and inclosures, addressed to his excellency the British ambassador, under date of the 19th instant, transmitting a list of the officers attached to vessels of the Bering Sea fleet.

Very respectfully,

H. A. HERBERT,
Secretary of the Navy.

A.

NAVY DEPARTMENT,
Washington, April 19, 1894.

SIR: Reading carefully the section of the British act you had the kindness to send me on yesterday, it occurs to me that it may be construed to mean that each officer who is to take part in the execution of the award of the acts of Congress and the Parliament of Great Britain should be named by orders in council. I therefore have the honor to transmit to you a complete list of all the officers, including naval cadets, who, in case of emergency, are sometimes put, as officers, in charge of detachments of men, that your Government may have these names before it, if it be deemed desirable to insert them in orders.

Under the instructions issued by this Department, a copy of which is herewith transmitted to you, it will be seen that the American act contemplates the sending of British vessels seized, under a sufficient force to secure their safe delivery, to British authorities.

I have the honor to be, very respectfully, your obedient servant,

H. A. HERBERT,
Secretary of the Navy.

His Excellency THE BRITISH AMBASSADOR,
Washington, D. C.

LINE OFFICERS OF THE NAVY ATTACHED TO THE BERING SEA FLEET.

U. S. S. MOHICAN.

Commander Charles E. Clark; Lieuts. Albion V. Wadhams, John B. Collins, and Bernard O. Scott; Lieut. J. G. James H. Hetherington, and Ensigns Charles F. Hughes, William K. Harrison, and Thomas J. Senn.

U. S. S. CONCORD.

Commander Caspar F. Goodrich, Lieuts. Ebenezer S. Prime, Greenleaf A. Merriam, and William S. Hogg; Lieut. J. G., Edwards F. Leiper, Ensigns Marbury Johnston, Nathan C. Twining, and Lay H. Everhart, and navel cadets, line division, Chester Wells, James B. Potter, Alfred A. Pratt, and André M. Proctor.

U. S. S. YORKTOWN.

Commander William M. Folger, Lieuts. Arthur B. Speyers, Herman F. Fitchbohm, William G. Cutler, and Clifford J. Boush; Lieut. J. G., William A. Gill, and Ensigns Harry A. Field and Richard H. Jackson.

U. S. S. BENNINGTON.

Commander Charles M. Thomas, Lieut. Commander Robert T. Jasper, Lieuts. James C. Cresap, Frederick W. Coffin, Thomas S. Rodgers; Lieuts. J. G., Harry Phelps and Theodore G. Dewey; Ensigns Charles B. McVay and Renwick J. Hartung, and naval cadets, line division, Edwin A. Elder, Henry A. Pearson, Frank L. Chadwick, and John L. Sticht.

U. S. S. RANGER.

Commander Edwin Longnecker, Lieuts. William C. Strong, Francis E. Greene, and Edward D. Bostick; Lieut. J. G., Thomas Snowden, and Ensigns William C. Cole, DeWitt Blamer, and Henry H. Hough.

U. S. S. ALERT.

Commander William A. Morgan, Lieuts. John H. C. Coffin, Asher C. Baker, and Charles F. Pond; Lieut. J. G., William E. Safford, and Ensigns Carlo B. Brittain, Lucius A. Bostwick, and Harry H. Caldwell.

U. S. S. ADAMS.

Commander John J. Brice, Lieuts. Charles F. Norton, William P. Elliott, Fidelio S. Carter, and William G. Hannum, and Ensigns George R. Marvell, Henry J. Ziegemeier, and Charles T. Vogelgesang.

U. S. S. PETREL.

Lieut. Commander William H. Emory, Lieuts. Nathan Sargent and Oren E. Lasher, and Ensigns Guy W. Brown, Mark L. Bristol, Benjamin F. Hutchison, William V. Pratt, and George B. Bradshaw.

U. S. S. ALBATROSS.

Lieut. Commander Franklin J. Drake, Lieut. Augustus F. Fechteler, and Ensigns Houston Eldredge, William R. Shoemaker, Charles M. Fahs, and Philip Williams.

LIST OF OFFICERS ON BOARD THE REVENUE CUTTERS THAT WILL CRUISE IN BERING SEA DURING THE COMING SEASON.

REVENUE CUTTER BEAR.

Capt. M. A. Healy, First Lieut. F. G. Wadsworth, Second Lieut. Jno. L. Davis, Second Lieut. Jno. E. Reinburg.

REVENUE CUTTER RUSH.

Capt. C. L. Hooper, First Lieut. H. B. Rodgers, Second Lieut. F. M. Dunwoody.

REVENUE CUTTER CORWIN.

Capt. F. M. Munger, First Lieut. Albert Buhner, Second Lieut. W. V. E. Jacobs, Third Lieut. G. C. Carmine, Third Lieut. G. M. Daniels.

It is the intention to assign another lieutenant to the *Rush*.

No. 91.

Mr. Uhl to Mr. Bayard.

DEPARTMENT OF STATE,
Washington, April 25, 1894.

SIR: I inclose herewith copy of a letter of the 19th instant from the Acting Secretary of the Navy covering an order issued to Commander C. E. Clark, United States Navy, who has been detailed to command a force of naval vessels and revenue cutters in Bering Sea.

I am, etc.,

EDWIN F. UHL, *Acting Secretary.*

[Inclosure in No. 91.]

ORDER TO COMMANDER CLARK.

[Transmitted by the Navy Department April 19, 1894.]

NAVY DEPARTMENT,
Washington, April 18, 1894.

SIR: 1. Having been detailed to command a force of naval vessels and revenue cutters to carry out the provisions of an act of Congress, approved April 6, 1894, "to give effect to the award rendered by the Tribunal of Arbitration at Paris, under the treaty between the United States and Great Britain, concluded at Washington, February twenty-ninth, eighteen hundred and ninety-two, for the purpose of submitting to arbitration certain questions concerning the preservation of fur seals," and of the President's proclamation of the same, dated Washington, D. C., April 9, 1894, you will order the vessels under your command to warn all American and British vessels they may meet outside of the waters prohibited by this act not to enter these waters for the purpose of sealing during the periods of time in which fur-seal fishing is so prohibited, and you will deliver to the commanding officer of each vessel so warned a copy of the President's proclamation, of the British act, and of these instructions.

2. An entry, showing the notice of warning, shall be made upon the register of all vessels of the United States and Great Britain that have been warned.

3. In accordance with the provisions of the above-mentioned act, as appears by reference to section 1 thereof, fur seal fishing is forbidden to the persons mentioned therein, and to all subjects of Great Britain, to persons owing the duty of obedience to the laws or the treaties of Great Britain, and to all persons belonging to or on board of a vessel of Great Britain, at any time or in any manner whatever, outside of territorial waters, in the waters surrounding the Pribilof Islands within a zone of 60 geographical miles thereof (60 to a degree of latitude) around said islands, *inclusive* of the territorial waters.

You will observe that the act of Congress extends the zone referred to in this paragraph 60 (geographical) miles around said islands, *exclusive* of the territorial waters, but you are hereby instructed to treat the limit as extending only 60 (geographical) miles around said islands, *inclusive* of the territorial waters. The word *exclusive* was inadvertently inserted in the act of Congress instead of the word *inclusive*, which appears in the award, and which it is the purpose of the act to enforce.

4. During the season extending from May 1 to July 31, both inclusive in each year, fur-seal fishing is forbidden to all persons mentioned in the first section of the act, and to all subjects of Great Britain, to persons owing the duty of obedience to the laws or the treaties of Great Britain, and to all persons belonging to or on board of a vessel of Great Britain, not only in the zone mentioned in the third paragraph of these instructions, but in that part of the Pacific Ocean, including Bering Sea, which is situated to the north of the thirty-fifth degree of North latitude and to the east of the one hundred and eightieth degree of longitude from Greenwich, till it strikes the water boundary between the United States and Russia. This boundary line passes through a point in Bering's straits on the parallel of 65° 30′, north latitude, at its intersection by the meridian which passes midway between the islands of Krusenstern, or Ingalook, and the island of Ratmanoff, or Noonarbook, and proceeds due north, without limitation, into the same frozen ocean. The same western limit, beginning at the same initial point, proceeds thence in a course nearly southwest through Bering's straits and Bering Sea, so as to pass midway between the northwest point of the Island of St. Lawrence and the southeast point of Cape Choukotski, to the meridian of one hundred and seventy-two west longitude; thence, from the intersection of that meridian, in a southwesterly direction until it strikes the one hundred and eightieth degree of longitude from Greenwich.

5. The regulations respecting the "special license" for sailing vessels, and the "distinguishing flag" to be worn by the same during the open season, mentioned in sections 3 and 7 of the act, are hereafter to be prescribed and promulgated by the Governments of the United States and Great Britain.

6. Any vessel or person described in the first section of this act, or any subject of Great Britain, or person owing obedience to the laws or the treaties of Great Britain, or any person belonging to or on board of any vessel of Great Britain, unauthorized by this act, found to be or to have been employed in sealing during the period of time and in the waters therein prohibited, whether with or without warning, and any of such vessels or persons found therein, whether warned or not, having on board or in their possession apparatus or implements suitable for taking seal, or seal skins, or bodies of seals, you will order seized.

7. The commanding officer making the seizure will, at the time thereof, draw up a declaration in writing stating the condition of the seized

vessel, the date and place of seizure, giving latitude and longitude and circumstances showing guilt. The seized vessel will be brought or sent, as soon as practicable, with all persons on board thereof, in charge of a sufficient force to insure delivery, together with witnesses and proofs, and the declaration of the officer making the seizure, if American, to the most convenient port of Alaska, California, Oregon, or Washington, and there delivered to the officers of the United States court having jurisdiction to try the offense and impose penalties for the same; and, if British, to Unalaska, and there delivered to the senior British naval officer present, or to the most convenient port in British Columbia, and delivered to the proper authorities of Great Britain, or delivered to the commanding officer of any British vessel charged with the execution of the award herein referred to.

8. A signed and certified list of the papers of the seized vessel will be delivered to the master thereof, and a duplicate copy will be transmitted with the declaration.

9. Copies of the act of the British Parliament are herewith inclosed.

Very respectfuly,

H. A. HERBERT,
Secretary of the Navy.

Commander CHARLES E. CLARK, U. S. N.,
Commanding U. S. Naval Force in Bering Sea,
U. S. S. Mohican, Port Townsend, Washington.

No. 92.

Mr. Uhl to Mr. Bayard.

DEPARTMENT OF STATE,
Washington, April 27, 1894.

SIR: I have received your dispatch of the 11th instant, concerning the enforcement of the Bering Sea regulations and calling attention to the use of the word "exclusive" in section 1 of the act approved April 6, 1894.

For your information, I inclose copy of the Department's note of the 18th instant* on this subject to the British ambassador at the capital, together with six copies of an act of Congress, approved April 24, 1894, wherein the error referred to is corrected.

I am, etc.,

EDWIN F. UHL,
Acting Secretary.

No. 93.

Mr. Webb to Mr. Gresham.

[Telegram.]

LEGATION OF THE UNITED STATES,
St. Petersburg, April 27, 1894. (Received April 27.)

Russian minister, Washington, authorized to sign arrangement annexed to your instruction of March 30. Russian Government ready to enter into negotiations.

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* See No. 84.

No. 94.

Mr. Webb to Mr. Gresham.

LEGATION OF THE UNITED STATES,
St. Petersburg, April 16–28, 1894. (Received May 12.)

SIR: Upon a request from Count Kapnist, the head of the Asiatic department of the foreign office, I called upon the gentleman yesterday afternoon. He imparted to me the following information.

Prince Cantacuzene has received authority to sign the agreement annexed to your instruction of March 30. He is further authorized to state that Russia is ready to enter into negotiations at any time tending to extend the terms fixed by the Paris Tribunal of Arbitration to the Pacific Ocean as far as the thirty-ninth degree of latitude.

The first portion of this I have telegraphed to you at the earnest request of Count Kapnist. The matter that concerns the extending of the terms fixed by the Paris Tribunal to the thirty-ninth degree of latitude I did not cable, as the count said that he had cabled himself to Count Cantacuzene.

I am, etc.,
G. CREIGHTON WEBB.

No. 95.

Sir Julian Pauncefote to Mr. Gresham.

WASHINGTON, *April 30, 1894.* (Received April 30, 1894.)

SIR: In accordance with the arrangement made when I had the honor of an interview with you and the Secretary of the Navy at the State Department, Mr. Herbert was good enough to send me on the 19th instant the draft of the instructions which it was proposed to issue to the officer commanding the United States naval force in Bering Sea, for his guidance in carrying out the provisions of the act of Congress passed to give effect to the award of the Bering Sea Tribunal of Arbitration.

On the following day I transmitted the draft instructions to my Government for their observations, and I am now in receipt of a telegram from Her Majesty's principal secretary of state for foreign affairs, in which I am directed to draw your attention to paragraph 6 of the draft instructions, so far as it relates to British vessels. That paragraph requires modification in order to bring it as regards the powers to be exercised by United States cruisers over British vessels, within the limits prescribed by the British order in council conferring such powers.

The Earl of Kimberley desires me to state to you that the order in council which is about to be issued to empower United States cruisers to seize British vessels will only authorize them to make seizures of vessels contravening the provisions of the British act of Parliament, or, in other words, the provisions of the award.

There is no clause in the British act corresponding with section 10 of the United States act of Congress. United States cruisers can not therefore seize British vessels merely for having on board, while within the area of the award and during the close season, implements suitable for taking seal. The mode in which such vessels should be dealt with is indicated in the instructions issued on that point to the British naval officers, and of which I have the honor to inclose a copy, and Lord

Kimberley suggests that the instructions to the United States cruisers should coincide with the British instructions so far as regards the seizure of British vessels. The Secretary of the Navy was good enough to furnish me, in addition to the draft of the proposed instructions to the United States cruisers, with a map intended to accompany them and purporting to show the delimitation of the waters embraced in the award. As regards this map Lord Kimberley points out that the red line drawn thereon is not quite correct. It makes the meridian 180 strike the Russian water boundary north of the sixtieth degree of latitude, instead of reaching it south of that degree, as it should do according to the award.

I have the honor, etc., JULIAN PAUNCEFOTE.

[Inclosure in No. 95.]

Instructions to British cruisers as to seizure.

If a vessel which appears to be a sealing vessel is found in any waters in which, at the time, hunting is prohibited, you will ascertain whether she is there for the purpose of hunting, or whether she has hunted, or whether she was carried there by stress of weather, or by mistake, during fog, or is there in the ordinary course of navigation on her passage to any place.

If you are satisfied that the vessel has hunted contrary to the act, you will seize her and order her to proceed to the British port hereinafter mentioned; but if you are of opinion that no offense has been committed you should warn her and keep her, as far as you think necessary and as is practicable, under supervision.

Whether this vessel has been engaged in hunting you must judge from the presence of sealskins or bodies of seals on board and other circumstances and indications. If the vessel is found outside the specified limits and it is evident that she has been hunting within those limits, and that thus an offense has been committed, you will seize her and send her to port.

A vessel, though herself not within the prohibited limits, may violate the act by her boats hunting within such limits.

No. 96.

Mr. Bayard to Mr. Gresham.

[Telegram.]

EMBASSY OF THE UNITED STATES,
London, April 30, 1894.

British minister for foreign affairs asks me to inform him exact terms President's instructions authorizing British officers to arrest the United States vessels contravening act of Congress as proclaimed.

No. 97.

Mr. Gresham to Mr. Bayard.

[Telegram.]

WASHINGTON, *May 1, 1894.*

After several conferences Secretary Carlisle, the British ambassador, and Dr. Dawson, agent for Canada, reached the conclusion that the following regulations would meet the present situation and avoid embarrassment this season:

REGULATIONS GOVERNING VESSELS EMPLOYED IN FUR SEAL FISHING.

ARTICLE I.—*Fitness of crews to use arms.*

Before the issuance of a special license, the master of any sailing vessel proposing to engage in fur-seal fishing shall produce satisfactory evidence to the collector of customs that the hunters employed by him are competent to use the weapons authorized by law.

ART. II.—*The use of firearms, when prohibited.*

Firearms, nets, or explosives shall not be used for taking or killing fur seals in that portion of Bering Sea described in the act approved April 6, 1894, entitled "An act to give effect to the award rendered by the Tribunal of Arbitration at Paris, under the treaty between the United States and Great Britain, concluded at Washington, February 29, 1892, for the purpose of submitting to arbitration certain questions concerning the preservation of fur seals."

ART. III.—*Vessels now sealing in the North Pacific east of 180° longitude; how to secure safe conduct to home port, or to Bering Sea.*

Any vessel having license to hunt fur seal in the North Pacific and Bering Sea east of 180° longitude shall, before entering Bering Sea, or at Unalaska, report to a customs officer of the United States, or an officer of the United States Navy, and have all arms and ammunition therefor on board secured under seal; such seal shall not be broken except by a customs officer of the United States or an officer of the United States Navy. The breaking of this seal, otherwise than above described, shall forfeit the license. The United States officer breaking the seal shall make a note of the fact on the margin of the license over his signature, showing the date. Any sealing vessel found in the prohibited waters of the North Pacific between May 1 and July 31, both inclusive, by any vessel or customs officer of the United States, shall be seized, as provided above, if there be evidence that she has violated the law. Otherwise her sealing outfit shall be secured under seal by the commander of any cruising vessel or customs officer upon declaration by her master that she wishes to proceed to a home port, and the officer placing this seal shall enter the date of same upon her register with the number of seal skins, given under oath, then on board. Said seal shall be broken by a customs officer upon her arrival at a home port. In the case of a sealing vessel wishing to proceed direct from the North Pacific to Bering Sea without touching at a home port, any officer authorized as above to seal her arms and ammunition shall, upon application of the master, enter upon her register his permission to do so, subject to the restrictions contained in the President's proclamation. This permission shall confer upon the vessel all the privileges and subject it to all the penalties of a regular license.

ART. IV.—*Vessels now in the North Pacific west of 180° longitude; how to secure safe conduct to home port or to Bering Sea.*

Vessels now in Japanese waters, on the Siberian coast west of 180° longitude, wishing to return to a home port, may enter the port of Attou, and there have their sealing outfits secured under seal and the fact entered on their registers. Such seal and entry shall be considered as sufficient protection against seizure whilst in prohibited water on their direct passage to a home port.

In case a sealing vessel, as described above, shall before leaving a Japanese port declare her intention of returning to a port of the United States, the United States consular officers of the port shall secure her sealing outfit as described above.

Any vessel, as described above, may obtain special license to hunt fur seals in Bering Sea upon application to the United States consular office of any port in Japan, or from the customs officer at Attou, after furnishing the evidence required in Art. I, but in no case shall such vessel enter the prohibited waters of Bering Sea until the arms and ammunition therefor on board have been secured under seal.

Any customs officer of the United States, or officer of the United States Navy, cruising to the westward of 180° longitude, may grant permission to enter Bering Sea as described in Art. III of these regulations.

ART. V.—*Vessels wishing to hunt for seals in Bering Sea on and after August 1; sealing of outfit, etc.*

Any vessel in a home or foreign port wishing to engage in fur-seal fishing in Bering Sea shall obtain special license for the same from a customs officer of the United States, if in a home port, and from a consular officer if in a foreign port. Before sailing the sealing outfit of such vessel shall be secured under seal and the fact noted on her license. Before entering Bering Sea such seal must be broken by a customs officer of the United States or an officer of the United States Navy. The breaking of this seal otherwise than as above will forfeit the special license and render the vessel liable to seizure.

ART. VI.—*Vessels at sea without special license and distinctive flag.*

Vessels now at sea in the pursuit of fur seals and found not to have violated the law in reference to the taking of fur seals, and which have not cleared from port on or after May 1, 1894, will not be molested on account of not having special license or distinctive flag, but may continue their cruise without either if they have complied, or shall comply, with the requirements of Articles IV and V of these regulations.

ART. VII.

Every vessel employed in fur-seal fishing as above described shall have, in addition to the papers now required by law, a special license for fur-seal fishing.

ART. VIII.

Every sealing vessel provided with special license shall show under her national colors a flag not less than 4 feet square, composed of two equal pieces, yellow and black, joined from the right-hand upper corner of the fly to the left-hand lower corner of the luff, the part above and to the left to be black; and the part to the right and below to be yellow.

ART. IX.

The authority hereinbefore granted to United States consular officers, customs officers, and officers of the United States Navy may be exercised by like officers in the service of the Government of Great Britain, except in the ports of the United States.

NOTICE.

Officers herein authorized to carry out the provisions of the act approved April 6, 1894, entitled "An act to give effect to the award rendered by the Tribunal of Arbitration at Paris, under the treaty between the United States and Great Britain, concluded at Washington, February 29, 1892, for the purpose of submitting to arbitration certain questions concerning the preservation of fur seals," will observe that the objects of the foregoing articles are to prevent the unlawful destruction of seals and to protect from unnecessary seizure or loss sealing vessels already at sea in ignorance of the provisions of the act or unable to comply strictly with its requirements. Should cases occur which are not here definitely provided for, they must be dealt with by the officers with the above-mentioned objects in view, and as nearly in accordance with the law and regulations as possible.

Having sent a copy to Canada, and, I presume, to London, Sir Julian yesterday informed us that Canada strenuously opposed regulations as unfair and not in accordance with Paris award. President thinks that under the circumstances the two Governments should put these regulations or something substantially like them into force at once. Disagreement at this time very unfortunate, and if understanding is not reached in a day or two instructions will be sent to our officers to enforce award on our part.

No. 98.

Mr. Gresham to Prince Cantacuzene.

DEPARTMENT OF STATE,
Washington, May 3, 1894.

The Secretary of State presents his compliments to the minister of Russia, and has the honor to request that Prince Cantacuzene will have the kindness to call at the Department of State to-morrow morning, at 10.30 o'clock, for the purpose of signing with the Secretary of State the proposed agreement for a modus vivendi between the United States and Russia in relation to the fur-seal fisheries in Bering Sea and the North Pacific Ocean.

No. 99.

Mr. Gresham to Mr. Bayard.

[Telegram.]

DEPARTMENT OF STATE,
Washington, May 4, 1894.

Following special instructions relative to sealing vessels lawfully navigating area of award, approved to-day:

I. No sealing vessel shall be seized or detained by reason of the absence of a license or of a distinctive flag or merely on account of seals, seal-skins or fishery implements being found on board, but unless there be evidence of unlawful seal hunting the commander of the cruiser visiting such sealing vessel shall deliver to the master a certificate of the number of seals and seal skins found on board on that date (keeping a copy of such certificate), and allow the vessel to proceed on her way.

II. Any sealing vessel lawfully traversing or intending to traverse the said waters during the close season for the purpose of returning to her home port or of proceeding to any other port or to or from the sealing grounds, or for any other legitimate purpose, may, on the application of the master, have her fishery implements sealed up and an entry thereof made on her clearance or log book, and such sealing up and entry shall be a protection to the vessel against interference by any cruiser in the said waters during the close season, so long as the seals so affixed shall remain unbroken, unless there shall be evidence of seal hunting notwithstanding.

III. The sealing up of fishing implements and the entry thereof may be effected by any naval officer, or customs officer, or (in Japan) by any consul of the nation to which the vessel belongs. It may be also effected at sea, as regards United States vessels by the commander of a British cruiser, and as regards British vessels by the commander of a United States cruiser.

No. 100.

Prince Cantacuzene to Mr. Gresham.

[Translation.]

WASHINGTON, *April 22–May 4, 1894.*

Mr. SECRETARY OF STATE: On the 8–20th of April last you were pleased, in pursuance of the instructions of the President of the United States, to inform me that if the Imperial Government assented thereto, the Federal Government was prepared to conclude with Russia, England and Japan—in lieu of any provisional arrangement—a treaty regulating and establishing the conditions of fur-seal hunting in the Pacific Ocean on bases identical for all and in conformity with the decisions and regulations of the Paris Tribunal of Arbitration. You expressed, at the same time, the opinion that this object would be best attained by extending from one continent to the other the prohibited and protected zone, the southern boundary of which should be the thirty-fifth parallel of north latitude.

I immediately communicated to my Goverment these propositions which furnish evidence conclusive of the principles of equity and justice that actuate the Federal Government in this matter, and I have already had the honor verbally to inform you of the satisfaction with which these overtures have been received by the Emperor's Government.

As the season is now too far advanced to permit us to negotiate such a treaty without adopting temporary measures for the protection of our waters, it has been thought necessary to conclude in the meantime a modus vivendi, which may at any time be superseded by a more complete treaty.

In signing to-day this essentially provisional arrangement, I hereby reiterate to you, in writing, the declaration that the Imperial Government is, for its part, prepared to negotiate and sign with the United States, England, and Japan a treaty in virtue of which the principles and regulations of the Paris Tribunal of Arbitration shall be applicable, indifferently, to all the waters of the Pacific Ocean situated north of the thirty-fifth parallel of north latitude.

Be pleased to accept, etc.,

CANTACUZENE.

No. 101.

Mr. Gresham to Sir Julian Pauncefote.

DEPARTMENT OF STATE,
Washington, May 7, 1894.

EXCELLENCY: The two Governments having provided by legislation and regulations for the enforcement of the award of the Paris Tribunal under the treaty of February 29, 1892, the time appears to have arrived for carrying out the stipulation of article 7 of the convention.

I am therefore directed by the President to invite the attention of Her Majesty's Government to the matter, to the end that with all convenient speed the two Governments may cooperate in securing the adhesion to the award of other powers, especially Russia and Japan.

I have the honor to be, etc.,

W. Q. GRESHAM.

No. 102.

Mr. Gresham to Mr. Bayard.

DEPARTMENT OF STATE,
Washington, May 8, 1894.

SIR: I inclose herewith copy of a note[*] which I have this day addressed to the British ambassador at this capital, suggesting that the time has arrived for the Governments of the United States and Great Britain to cooperate in securing the adhesion of other powers, especially Russia and Japan, to the award of the Paris Tribunal.

I am, etc.,

W. Q. GRESHAM.

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[*] No. 101.

No. 103.

Sir Julian Pauncefote to Mr. Gresham.

WASHINGTON, *May 8, 1894.*

SIR: In accordance with a request made to me by the governor-general of Canada, acting under instructions from Her Majesty's Government, I have the honor to transmit herewith, for the information of the United States Government, a copy of a minute of his excellency's council, dated the 16th ultimo, to which is appended a complete list of such British vessels as have cleared from Canadian ports for the sealing grounds during the present season.

Of these vessels it appears that 34 have cleared for the coast of Japan and 24 for the American coast, making in all 58.

I have, etc., JULIAN PAUNCEFOTE.

[Inclosure in No. 103.—Extract from a report of the committee of the honorable the privy council, approved by his excellency on the 16th of April, 1894.—In triplicate.]

On a report dated 12th April, 1894, from the minister of marine and fisheries stating that he has received the appended letter from the collector of customs at Victoria, British Columbia, forwarding complete lists of the sealing vessels which have cleared and sailed for the Japan coast and west coast of British Columbia, respectively, on sealing voyages for the season of 1894.

The minister observes that of these vessels 34 have cleared for the Japan coast and 24 for the American coast, making in all 58 Canadian sealing vessels engaged in the industry this year.

That, of the vessels which sailed for the Japan coast, the earliest clearance was made on the 14th December, 1893, 2 vessels having cleared on that date, and between the 18th and 30th of that month 11 cleared, while between the 2d and 10th January, 1894, 18 cleared.

All of these vessels cleared from Victoria. The date of clearance of the schooner *Beatrice* of Vancouver is not given, while the *Maud S.* and the *Aurora* winter in Yokahama.

The minister further observes that of the vessels which cleared for the North America coast, 2 cleared on the 6th January, 1894, 2 on the 11th, 5 on the 13th, and 7 between the 15th and 29th of that month.

During February, 3 cleared, and during March, 3. All of these vessels cleared from Victoria. The date of clearance of the *C. D. Rand* of Victoria is not given. The *Kilmeny* is reported as "still in port; will clear in a few days."

The committee on the recommendation of the minister of marine and fisheries, advise that a certified copy of this minute, if approved, be forwarded to the right honorable the principal secretary of state for the colonies.

All of which is respectfully submitted for your excellency's approval.

JOHN J. MCGEE,
Clerk of the Privy Council.

[Annex A to P. C. 1147, 16th April, 1894.]

CUSTOMS CANADA.

VICTORIA, B. C., *31st March, 1894.*

SIR: I beg to transmit herewith for the information of the honorable the minister of marine and fisheries, a complete list of vessels that have cleared and sailed for Japan this season; also, a complete list of all those who are sealing on the west coast of British Columbia this year.

I have the honor to be, sir, your obedient servant,

A. R. MILNE, *Collector.*

WM. SMITH, Esq.,
Deputy Minister of Marine and Fisheries, Ottawa.

[Annex *b* to P. C. 1147, 16th April, 1894.]

List of Canadian vessels sealing on east side of North Pacific Ocean. Season, 1894.

Vessels.*	Tons.	Masters.	Date of clearing.	Port sailed from.
Triumph	98	C. N. Cox	Jan. 6, 1894	Victoria, British Columbia.
Sapphire	109	Wm. Cox	do	Do.
Beatrice	66	D. Macauley	Jan. 11, 1894	Do.
Mascot	40	H. F. Sieward	Jan. 13, 1894	
Favourite	80	L. McLean	do	
Annie C. Moore	115	J. Daley	do	
Labrador	25	J. J. Whiteley	do	
Wanderer	25	H. Paxton	do	
Pioneer	66	W. E. Baker	Jan. 15, 1894	
Saucy Lass	38	R. E. Crowell	Jan. 16, 1894	
Borealis	37	G. Meyer	Jan. 19, 1894	
Katharine	82	J. Gould	Jan. 20, 1894	
Ainoko	75	G. Heater	Jan. 22, 1894	
Kate	58	N. Moos	Jan. 27, 1894	
Shelby Hr	16	F. Jones	Jan. 29, 1894	
Venture	48	J. Mohrhouse	Feb. 2, 1894	
Walter L. Rich	76	S. Balcom	Feb. 6, 1894	
South Bend	21	C. F. Dillon	Mar. 15, 1894	
Minnie	46	V. Jackobson	Mar. 27, 1894	
San Jose	31	M. Foley	Mar. 28, 1894	
Mountain Chief	23	Jamieson	Jan. 11, 1894 (coasting).	
Fisher Maid	21	C. Chipps	Feb. 3, 1894 (coasting).	
C. D. Rand	51			Vancouver, British Columbia.
Kilmeny	19	L. Olsen	Still in port, will clear in a few days.	

* Total, 24.

CUSTOMS, CANADA, VICTORIA, B. C., *31st March, 1894.*

[Annex to P. C. 1147, 16th April, 1894.]

List of Canadian vessels sealing on the Japan Coast. Season, 1894.

Vessels.*	Tons.	Masters.	Date of clearing.	Port of sailing.
Enterprise	69	Oscar Scarf	Dec. 14, 1893	Victoria, British Columbia.
Rosie Olsen	39	A. B. Whidden	do	Do.
Umbrinia	99	C. Campbell	Dec. 18, 1893	Do.
Oscar and Hattie	81	T. Magnesen	Dec. 19, 1893	Do.
Diana	50	A. Nelson	Dec. 20, 1893	Do.
Brenda	100	C. E. Locke	Dec. 21, 1893	Do.
Arietis	86	A. Douglas	Dec. 23, 1893	Do.
Casco	63	O. Buchholz	Dec. 26, 1893	Do.
Dora Sieward	94	F Cole	Dec. 27, 1893	Do.
Walter A. Earle	68	L. Magnesen	Dec. 28, 1893	Do.
Fawn	59	M. Keefe	Dec. 29, 1893	Do.
Agnes McDonald	107	M. Cutler	Dec. 30, 1893	Do.
Walter P. Hall	99	J. B. Brown	do	Do.
Mermaid	73	W. H. Whiteley	Jan. 2, 1894	Do.
City of San Diego	46	M. Pike	Jan. 3, 1894	Do.
Mary Taylor	43	E. F. Robbins	do	Do.
Libbie	93	F. Hackett	do	Do.
May Belle	58	E. Shields	Jan. 4, 1894	Do.
Mary Ellen	63	W. O. Hughes	do	Do.
Viva	92	J. Anderson	do	Do.
W. P. Sayward	60	G. A. Ferey	Jan. 5, 1894	Do.
Penelope	70	L. McGrath	do	Do.
Vera	60	W. Shields	do	Do.
Carlotta G. Cox	76	W. D. Byers	do	Do.
Otto	86	J. McLeod	Jan. 6, 1894	Do.
E. B. Marvin	96	C. J. Harris	do	Do.
Annie E. Paint	82	A. Bissett	do	Do.
Geneva	92	W. A. Leary	Jan. 9, 1894	Do.
Teresa	63	F. Gilbert	do	Do.
Ocean Belle	83	T. O'Leary	Jan. 10, 1894	Do.
Sadie Turpel	56	C. Le Blanc	do	Do.
Beatrice, of Vancouver	49			Vancouver, British Columbia.
Maud S	97	R. McKeil		Yokahama, Japan.
Aurora	41			Do.

* Total, 34.

31st MARCH, 1894.

No. 104.

Sir Julian Pauncefote to Mr. Gresham.

WASHINGTON, *May 8, 1894.*

SIR: By direction of Her Majesty's principal secretary of state for foreign affairs I have the honor to inform you that instructions will be sent to the officers in command of Her Majesty's cruisers in Bering Sea to distribute copies of the Bering Sea award act and of an explanatory map to all British sealers which they may meet in those waters.

As, however, the United States cruisers patrolling in those waters may meet with British sealers which have not been spoken by one of Her Majesty's ships, Lord Kimberley requests me to ask you whether your Government would instruct United States naval officers to give copies of these documents to any British vessels which they may find to be without them.

In case your Government accede to this request, I shall have the honor to inclose copies of the act and map for the purpose above mentioned.

I have, etc., JULIAN PAUNCEFOTE.

No. 105.

Mr. Gresham to Sir Julian Pauncefote.

DEPARTMENT OF STATE,
Washington, May 9, 1894.

EXCELLENCY: I have the honor to acknowledge the receipt of your note of yesterday's date, in which, referring to the steps taken to warn sealing vessels in Bering Sea, you ask whether the naval officers of the United States would be instructed to give to British sealers they may speak copies of the Bering Sea award act and of an explanatory map thereto annexed, of which you offer to furnish copies for that purpose.

By the second paragraph of the amended instructions issued by the Secretary of the Navy to the commanding officers of the United States fleet in Bering Sea, under date of 4th instant, in place of the previous instructions of April 18, the British act is among the papers to be delivered to the masters of sealing vessels so warned.

It will give me much pleasure to receive and communicate to the Secretary of the Navy for appropriate distribution the copies of the British act and the annexed map which you offer to supply.

I inclose for your information copies of the above-mentioned naval instructions and of the regulations governing vessels employed in fur-seal fishing.

I have, etc., W. Q. GRESHAM.

[Inclosure in No. 105.]

NAVY DEPARTMENT,
Washington, May 4, 1894.

SIR: Congress having passed acts which were approved April 6, 1894, and April 24, 1894, and the Government of the United States having made arrangements with Great Britain to give effect to the award rendered by the Tribunal of Arbitration at Paris, under the treaty between the United States and Great Britain, concluded at Washington, February 29, 1892, for the purpose of submitting to arbitration certain questions concerning the preservation of fur seals, you are detailed to command a force of naval and revenue vessels to carry out the provisions of the award, of the acts of Congress, and of the President's proclamation dated Washington, D. C., April 9, 1894.

You will order the vessels under your command to warn all American and British vessels they may meet not to engage in fur-seal fishing within the area of the award, during the periods of time in which fur-seal fishing is forbidden, and to deliver to the master of each of such vessels a copy of the President's proclamation, of the act of Congress, approved April 24, 1894, of the President's regulations governing vessels employed in fur-seal fishing, of the British act, and of these instructions.

Whenever a vessel may be warned, the commander of the cruiser, or the customs officer, as the case may be, shall, after making an examination of the vessel, leave with the master of said vessel a certificate showing the date and place of examination, the number of seal skins, and the number of bodies of seals then on board, and shall preserve a duplicate of said certificate. And no officer, subsequently boarding such vessel, shall seize the same, unless he shall be satisfied, as herein provided, that it has committed a violation of law by killing fur seal within the area of the award subsequent to the 30th day of April, 1894.

Fur-seal fishing is forbidden to all persons mentioned in section 1 of said act of Congress, to all subjects of Great Britain, to persons owing the duty of obedience to the laws or the treaties of Great Britain, and to all persons belonging to or on board of a vessel of Great Britain, at any time, or in any manner whatever, outside of territorial waters, in the waters surrounding the Pribilof Islands within a zone of 60 geographical miles thereof (60 to a degree of latitude) around said islands, inclusive of the territorial waters.

Fur-seal fishing is forbidden during the season extending from May 1, to July 31, both inclusive, in each year, to all persons mentioned in the first section of said act of Congress, and to all subjects of Great Britain, to persons owing the duty of obedience to the laws or the treaties of Great Britain, and to all persons belonging to or on board of a vessel of Great Britain, not only in the zone mentioned in the fourth paragraph of these instructions, but in that part of the Pacific Ocean, including Bering Sea, which is situated to the north of the thirty-fifth degree of north latitude and to the east of the .one hundred and eightieth degree of longitude from Greenwich, till it strikes the water boundary between the United States and Russia. This boundary line passes through a point in Bering Straits on the parallel of 65° 30′ north latitude, at its intersection by the meridian which passes midway between the islands of Krusenstern or Ignalook, and the island of Ratmanoff or Noonarbook, and proceeds due north, without limitation, into the same frozen ocean. The same western limit, beginning at the same initial point, proceeds thence in a course nearly southwest, through Bering Straits and Bering Sea, so as to pass midway between the northwest point of the island of St. Lawrence and the southeast point of Cape Choukotski to the meridian of one hundred and seventy-two west longitude; thence, from the intersection of that meridian, in a southwesterly direction, until it strikes the one hundred and eightieth degree of longitude from Greenwich.

Any vessel or person described in the first section of said act of Congress, or any vessel or subject of Great Britain, or person owing obedience to the laws or the treaties of Great Britain, or any person belonging to or on board of any vessel of Great Britain, unauthorized by this act, found to be or to have been engaged in fur-seal fishing within the area of the award, during the periods of time in which fur-seal fishing is forbidden, you will order seized.

If a vessel which appears to be a sealing vessel is found within the area of the award, during the periods of time in which fur-seal fishing is forbidden, you will ascertain whether she is there for the purpose of fur-seal fishing, whether she has been engaged in fur-seal fishing, whether she was carried there by stress of weather, by a mistake during foggy or thick weather, or is there in the ordinary course of navigation, making the best of her way to any place. You must judge whether such vessel has been engaged in fur-seal fishing from the presence of seal skins or bodies of seals on board, and from other circumstances and indications. If such vessel is found outside of the area of the award, and it is evident that she has been engaged in fur-seal fishing within said area, and has thus committed an offense, you will order her seized. A vessel may violate the law by her boats fur-seal fishing within said area, while the vessel, herself, is outside of said area.

The commanding officer making the seizure will, at the time thereof, draw up a declaration in writing, stating the condition of the seized vessel, the date and place of seizure, giving latitude and longitude and circumstances showing guilt. The seized vessel will be brought or sent, as soon as practicable, with all persons on board thereof, in charge of a sufficient force to insure delivery, together with witnesses and proofs, and the declaration of the officer making the seizure, if American, to the most convenient port of Alaska, California, Oregon, or Washington, and there delivered to the officers of the United States court having jurisdiction to try the offense and impose penalties for the same; and if British, to Unalaska, and there delivered to the senior British naval officer present, or carried to the most convenient port in British Columbia, and delivered to the proper authorities of Great Britain, or delivered to the commanding officer of any British vessel charged with the execution of the award herein referred to.

A signed and certified list of the papers of the seized vessel will be delivered to the master thereof, and a duplicate copy will be transmitted with the declaration.

You will arrange with the commanders of the British vessels engaged in carrying out the provisions of the award for the mutual delivery of vessels of the one country seized by officers of the other.

These instructions will remain in force only during the present season.

Very respectfully,

H. A. HERBERT,
Secretary of the Navy.

Commander CHARLES E. CLARK, U. S. N.,
Commanding U. S. Naval Force in Bering Sea,
U. S. S. Mohican, Port Townsend, Wash.

Regulations governing vessels employed in fur-seal fishing.

ARTICLE I.

FITNESS OF CREWS TO USE ARMS.

Before the issuance of a special license the master of any sailing vessel proposing to engage in fur-seal fishing shall produce satisfactory evidence to the collector of customs that the hunters employed by him are competent to use the weapons authorized by law.

ARTICLE II.

THE USE OF FIREARMS—WHEN PROHIBITED.

Firearms, nets, or explosives shall not be used for taking or killing fur seals in that portion of Bering Sea described in the act approved April 6, 1894, entitled "An act to give effect to the award rendered by the Tribunal of Arbitration at Paris, under the treaty between the United States and Great Britain, concluded at Washington, February 29, 1892, for the purpose of submitting to arbitration certain questions concerning the preservation of fur seals."

ARTICLE III.

VESSELS NOW SEALING IN THE NORTH PACIFIC EAST OF 180° LONGITUDE—HOW TO SECURE SAFE CONDUCT TO HOME PORT OR TO BERING SEA.

Any vessel having license to hunt fur seals in the North Pacific and Bering Sea east of 180° longitude may, before entering Bering Sea, or at Unalaska, report to a customs officer of the United States, or an officer of the United States Navy, and have all arms and ammunition therefor on board secured under seal; such seal shall not be broken during the time fur-seal fishing is prohibited. In order to protect vessels found within the area of the award between April thirtieth and August first, but which have not violated the law, from improper seizure or detention, the masters thereof may, by applying to the commander of any cruiser or to a customs officer and declaring that she intends to proceed to a home port, have her sealing outfit secured under seal, and the officer placing this seal shall enter the date of the same upon her log book, with the number of seal skins and bodies of seals then on board, and said seal shall not be broken during the time fur-seal fishing is prohibited, except at the home port.

ARTICLE IV.

VESSELS NOW IN THE NORTH PACIFIC WEST OF 180° LONGITUDE—HOW TO SECURE SAFE CONDUCT TO HOME PORT OR TO BERING SEA.

Vessels now in Japanese waters or on the Siberian coast west of 180° longitude, wishing to return to a home port, may enter the port of Attou and there have their sealing outfits secured under seal and the fact entered on their log books. Such seal shall not be broken except at her home port, and such seal and entry shall consitute a sufficient protection against *seizure* whilst within the area of the award on their direct passage to such port.

In case a sealing vessel, as described above, shall before leaving a Japanese port declare her intention of returning to a port of the United States, the United States consular officers of the port may, upon application of her master, secure her sealing outfit as described above.

Any vessel, as described above, may obtain special license to hunt fur seals in Bering Sea upon application to the United States consular office of any port in Japan or from the customs officer of Attou, after furnishing the evidence required in Article I.

ARTICLE V.

VESSELS WISHING TO HUNT FUR SEALS IN BERING SEA ON AND AFTER AUGUST 1—SEALING OF OUTFIT, ETC.

Any vessel in a home or foreign port wishing to engage in fur-seal fishing in Bering Sea shall obtain special license for the same from a customs officer of the United States, if in a home port, and from a consular officer, if in a foreign port. Before sailing the sealing outfit of such vessel may be secured under seal, upon application, as hereinbefore provided, and the fact noted on her license. Such seal shall not be broken during the time fur-seal fishing is prohibited.

ARTICLE VI.

VESSELS AT SEA WITHOUT SPECIAL LICENSE AND DISTINCTIVE FLAG.

Vessels now at sea in the pursuit of fur seals and found not to have violated the law in reference to the taking of fur seals, and which have not cleared from any port on or after May 1, 1894, will not be seized solely on account of not having special license or distinctive flag.

ARTICLE VII.

Every vessel employed in fur-seal fishing, as above described, shall have, in addition to the papers now required by law, a special license for fur-seal fishing.

ARTICLE VIII.

Every sealing vessel provided with special license shall show under her national colors a flag not less than four feet square, composed of two equal pieces, yellow and black, joined from the right-hand upper corner of the fly to the left-hand lower corner of the luff, the part above and to the left to be black, and the part to the right and below to be yellow.

ARTICLE IX.

The authority hereinbefore granted to United States consular officers, customs officers, and officers of the United States Navy may be exercised by like officers in the service of the Government of Great Britain, except in the ports of the United States.

NOTICE.

Officers herein authorized to carry out the provisions of the act approved April 6, 1894, entitled "An act to give effect to the award rendered by the Tribunal of Arbitration at Paris, under the treaty between the United States and Great Britain, concluded at Washington February 29, 1892, for the purpose of submitting to arbitration certain questions concerning the preservation of fur seals," will observe that the objects of the foregoing articles are to prevent the unlawful destruction of seals and to protect from unnecessary seizure or loss sealing vessels already at sea in ignorance of the provisions of the act or unable to comply strictly with its requirements. Should cases occur which are not here definitely provided for, they must be dealt with by the officers with the above-mentioned objects in view and as nearly in accordance with the law and regulations as possible.

These regulations are intended to apply only to the closed season of 1894, and are not to be regarded as a complete execution of the authority conferred upon the Executive by the act of Congress.

Approved May 4, 1894.

GROVER CLEVELAND.

No. 106.

Sir Julian Pauncefote to Mr. Gresham.

WASHINGTON, *May 10, 1894.*

SIR: In accordance with the agreement arrived at during the recent negotiations in relation to the means of giving effect for the present year to the fishery regulations prescribed by the award of the Bering Sea Tribunal of Arbitration, I have the honor to inclose for your approval a memorandum recording the arrangements concluded on that subject and accepted by both Governments, and I shall feel obliged if you will be good enough to inform me whether the memorandum meets with your approval.

I have, etc.,

JULIAN PAUNCEFOTE.

[Inclosure in No. 106.]

Memorandum of the arrangements agreed upon between the Governments of Great Britain and the United States for giving effect during the year 1894 to the fur-seal fishery regulations prescribed by the award of the Bering Sea Tribunal of Arbitration.

LICENSES.

The special license to be issued to sealing vessels under article 4 of the regulations of the award shall declare that the licensee has given satisfactory evidence of the fitness of the hunters to be employed by him, as required by article 7.

It shall be issued subject to the observance of the said regulations and to the penalties imposed by law for the violation thereof.

It shall be in such form as each Government shall determine for itself.

DISTINCTIVE FLAG.

Every sealing vessel provided with a special license shall show, under her national colors, a flag, not less than 4 feet square, composed of two equal pieces, yellow and black, joined from the right-hand upper corner of the fly to the left-hand lower corner of the luff, the part above and to the left to be black and the part to the right and below to be yellow.

REGULATIONS RESPECTING SEALING VESSELS LAWFULLY NAVIGATING THE MARITIME AREA OF THE AWARD DURING THE CLOSE SEASON.

1. No sealing vessel shall be seized or detained by reason of the absence of a license or of a distinctive flag, or merely on account of seals, seal skins, or fishery implements being found on board; but, unless there be evidence of unlawful sealing, the commander of the cruiser visiting such vessel shall deliver to the master a certificate of the num-

ber of seals and seal skins found on board on that date (keeping a copy of such certificate) and allow the vessel to proceed on her way.

2. Any sealing vessel lawfully traversing, or intending to traverse, the said waters during the close season, for the purpose of returning to her home port, or of proceeding to any other port, or to or from the sealing grounds, or for any other legitimate purpose, may, on the application of the master, have her fishery implements sealed up and an entry thereof made on her clearing and log book, and such sealing up and entry shall be a protection to the vessel against interference by any cruiser in the said waters during the close season so long as the seals so affixed shall remaim unbroken, unless there shall be evidence of seal hunting notwithstanding.

3. The sealing up of fishery implements and the entry thereof may be effected by any naval officer or customs officer, or (in Japan) by any consul of the nation to which the vessel belongs. It may also be effected at sea, as regards United States vessels, by the commander of a British cruiser, and, as regards British vessels, by the commander of a United States cruiser.

No. 107.

Sir Julian Pauncefote to Mr. Gresham.

WASHINGTON, *May 10, 1894.*

SIR: With reference to my note of the 8th instant and to your reply thereto of the 9th instant, I have the honor to inclose copies of the British Bering Sea award act and of the explanatory map therein mentioned, which you are good enough to state will be distributed by the United States cruisers among British sealers in the manner requested by Her Majesty's Government.

I have also the honor to acknowledge the receipt of the amended naval instructions issued by the Secretary of the Navy on the 4th instant to the commanding officers of the United States fleet in Bering Sea, and of the regulations attached thereto, which I shall lose no time in transmitting to my Government.

I have, etc., JULIAN PAUNCEFOTE.

No. 108.

Mr. Gresham to Sir Julian Pauncefote.

DEPARTMENT OF STATE,
Washington, May 11, 1894.

EXCELLENCY: In reply to your excellency's note of the 10th instant inclosing a memorandum of certain arrangements agreed upon between our respective Governments for giving effect during the year 1894 to the fur-seal fishery regulations prescribed by the award of the Bering Sea Tribunal of Arbitration, I have the honor to state that I approve of the memorandum as containing a correct record of the arrangements agreed upon.

I have the honor to be, etc., W. Q. GRESHAM.

No. 109.

Mr. Gresham to Mr. Bayard.

DEPARTMENT OF STATE,
Washington, May 12, 1894.

SIR: Yours of the 27th ultimo* has been received. I note your citation of the reply, made in the House of Commons on the 26th ultimo by Sir E. Grey to an inquiry of Sir G. Baden-Powell, wherein the important announcement is made that the provisions of the award of the Tribunal of Arbitration, which Great Britain and the United States were bound to carry out, were matters of common knowledge in August last, and that "every possible means will be taken to give to sealers now at sea specific warning that the regulations will be enforced." Sir E. Grey added the equally positive statement that "any British or United States vessel contravening the provisions of the Bering Sea award act, 1894, will be liable to be arrested and sent to a British court for trial," the last phrase, of course, relating to the jurisdiction of the courts of the two countries over vessels of the respective nationalities seized under the provisions of the concurrent acts of Parliament and Congress.

In this relation I may properly mention a conversation I had on the 12th ultimo with Mr. Goschen, Secretary of the British embassy, who called upon me in behalf of Sir Julian Pauncefote, then confined to his house by indisposition.

Mr. Goschen stated that Sir Julian had received an instruction from Lord Kimberley interpreting subclause 2 of section 7 of the British bill then pending, and read from a written memorandum as follows:

> In clause 7, subclause 2, of the British bill the following phrase occurs: "Where * * * it is proved that the ship sailed from its port of departure before the scheduled provisions were published there," etc. The publication referred to is that of the provisions of the award, not that of the bill.

Mr. Goschen added that it would please Sir Julian if I would make this statement to the Senate Committee on Foreign Affairs, in order that the position of Great Britain might be correctly understood.

After some conversation as to whether the "scheduled provisions" so referred to in the British bill were those of the Paris award itself, or of the regulations reported by the tribunal, I said to Mr. Goschen that it would be for the courts to decide what the words "scheduled provisions" mean; and that, in construing statutes and for the purpose of ascertaining the legislative intention, courts sometimes have recourse to the debates or discussions which occurred while the measure was under consideration, but that mere verbal communications from one government to another—such as that now made—would not be considered by a court. I preferred that any communication the British Government might desire to make on this subject should be official and in writing. I added that if I should inform the Senate committee of the interpretation which Lord Kimberley placed upon subclause 2, and British courts should subsequently give it another and different construction, Her Majesty's Government might feel somewhat embarrassed.

I subsequently received from the ambassador under date of the same day, a personal note, of which a copy is inclosed herewith,† conveying Lord Kimberley's interpretation of the clause in question.

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* Not printed.

† See inclosure in No. 78.

Not the least gratifying incident of the protrated negotiations was the subsequent amendment of subclause 2, section 7, of the bill, so that as finally passed it provides for proof that "the ship sailed from its port of departure before the provisons of the award mentioned in the first schedule of the act were known there, and that such person or the master of the ship did not, after such sailing and before the alleged offense, become aware of such provisions" in order to exonerate them.

I am, etc.,

W. Q. GRESHAM.

No. 110.

Mr. Uhl to Prince Cantacuzene.

DEPARTMENT OF STATE,
Washington, May 12, 1894.

SIR: I have the honor to acknowledge the receipt of your note of the 4th instant, and to express to you the gratification with which this Government accepts your declaration that the Imperial Government is prepared to negotiate and sign with the United States, England, and Japan a treaty in virtue of which the principles and regulations of the Paris Tribunal of Arbitration shall be applicable, indifferently, to all the waters of the Pacific Ocean north of the thirty-fifth parallel of north latitude.

Accept, etc.,

EDWIN F. UHL, *Acting Secretary.*

No. 111.

Mr. Uhl to Mr. Bayard.

DEPARTMENT OF STATE,
Washington, May 14, 1894.

SIR: I inclose herewith for your information copy of an agreement* between the Government of the United States and the Imperial Government of Russia for a modus vivendi in relation to the fur-seal fisheries in Bering Sea and the North Pacific Ocean, concluded on May 4, 1894.

I also inclose translation of a note of the 4th instant† from the Russian minister in this capital, wherein he declares that the Imperial Government is prepared to negotiate and sign with the United States, England, and Japan a treaty, in virtue of which the principles and regulations of the Paris Tribunal of Arbitration shall be applicable, indifferently, to all the waters of the Pacific Ocean situated north of the thirty-fifth parallel of north latitude.

I am, etc.,

E. F. UHL, *Acting Secretary.*

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*See No. 57.

†See No. 100.

No. 112.

Mr. Gresham to Sir Julian Pauncefote.

DEPARTMENT OF STATE,
Washington, May 28, 1894.

EXCELLENCY: Referring to my note to you of the 7th instant regarding the joint invitation of foreign powers to adhere to the award of the Bering Sea Tribunal, I beg to inquire whether you have received instructions from your Government on the subject.

In the judgment of the President prompt action is very desirable.

I have, etc.,

W. Q. GRESHAM.

No. 113.

Mr. Bayard to Mr. Gresham.

EMBASSY OF THE UNITED STATES,
London, May 30, 1894.

SIR: I have the honor to acknowledge your instructions dated May 12, with certain inclosures, all having relation to the international arrangements to carry into effect the award and regulations by the Paris Tribunal of fur sealing in the waters of the North Pacific and Bering Sea.

Your expressions of appreciation and approval of my official action here, in assisting your efforts to make this resort to arbitration successful, are naturally gratifying and are fully appreciated by me.

As the transaction has been conducted on both sides with honorable candor, and with the single purpose of performing a clearly stipulated class of international duties and obligations, it may reasonably be expected that the progressive execution of the treaty and the award, under the cooperative laws and regulations of the two high contracting powers, will be complete and satisfactory.

I beg now to inclose copies of two notes, dated respectively April 30 and May 3, addressed by me to Lord Kimberley, in relation to the orders in council requisite to execute the British statutes, and prevent violation of the interdictions against pelagic sealing within the award area.

These documents complete, I believe, the correspondence which has thus far taken place touching the arrangements between the United States and Great Britain for the policing of the award area recited in the regulations established by the Paris Tribunal.

I have also the honor to acknowledge your instruction, dated May 14, transmitting a copy of an agreement between the United States and Russia for a modus vivendi, in relation to fur sealing in the waters of Bering Sea and the North Pacific Ocean.

This instrument runs upon the identical lines of the British arrangement with Russia, which was in force in 1893, and is renewed for the present year.

The announcement in the note of the Russian minister at Washington of the readiness of Russia to join in a quadripartite convention with the United States, Great Britain, and Japan, to regulate sealing in all the waters of the Pacific Ocean north of the thirty-fifth parallel of north longitude is very satisfactory, and I can not doubt that Japan will be equally willing to lend her aid in putting an end to pelagic sealing.

The interdiction of the use of firearms, nets, and explosives, in the capture of seals, can not fail, if obeyed, to make pelagic sealing almost profitless, and one or two seasons of rigid enforcement of the regulations by active marine police will suffice, I trust, to put an end to the wasteful and cruel slaughter of the seal in the sea.

I have, etc.,

T. F. BAYARD.

[Inclosure 1 in No. 113.]

EMBASSY OF THE UNITED STATES,
London, April 30, 1894.

DEAR LORD KIMBERLEY: Let me thank you for your note of Saturday last, which came to my residence that night.

I am glad to have copies of the British Bering Sea act as finally approved, and also of the explanatory maps of the award area in these waters.

The questions of the form of license and the distinguishing flag for the fur-sealing vessels will no doubt be easily and satisfactorily agreed upon at the State Department at Washington by the representatives mutually in charge.

While it does not occur to me that there will probably be any objection to the United States officers of the marine patrol distributing copies of any of the documents of either Government to the sealing vessels, yet the protecting value or condoning force of such papers to vessels found flagrante delicto is not quite obvious, i. e., pursuing seals in contravention of the provisions of the award at Paris, which, in the words of the instructions of the admiralty issued to Her Majesty's vessels, were "matters of common knowledge before the sealers started."

Although the telegraph newspaper reports allege the delivery several days ago to Sir Julian Pauncefote in Washington of (confidential) copies of the President's instructions to United States cruisers in which authority is given to Her Majesty's officers in command of the patrolling vessels to make seizure of United States sealing vessels contravening the act of Congress, yet I have telegraphed to Washington for the information requested in your note, and so soon as I receive the exact terms by which the President will confer on commanders of Her Majesty's cruisers, authority to arrest United States vessels I will communicate with you.

Believe me, etc., T. F. BAYARD.

[Inclosure 2 in No. 113.]

EMBASSY OF THE UNITED STATES,
London, May 3, 1894.

DEAR LORD KIMBERLEY: The mail of last night did not bring me the documents I expected, relating to the United States ships and officers detailed for service in the patrol of the Bering Sea award area, nor the precise terms of the President's instructions including therein authority to the commanders of Her Majesty's cruisers.

Impressed with our conversation yesterday afternoon, I felt very desirous of conveying reassurances to my Government of the fulfillment uberimma fide of the British share of duty in carrying out the results of the arbitration, and I have to-day telegraphed Secretary Gresham to the effect that, in my interview with your lordship, I became fully impressed with the belief that the reported objections or interference by the Canadian officials would not be allowed by the Government of Her Majesty to prevent the consummation of the agreement to execute the letter and spirit of the award, by competent regulations under the authority of the order in council.

Believe me, etc., T. F. BAYARD.

No. 114.

Mr. Gresham to Sir Julian Pauncefote.

DEPARTMENT OF STATE,
Washington, June 2, 1894.

EXCELLENCY: I have the honor to inclose herewith for your information copy of a modus vivendi between the United States and Russia* for the protection of fur seals in and near the Russian waters of the Bering Sea and in a zone of 30 miles around the Commander and Robben Islands.

I have, etc., W. Q. GRESHAM.

No. 115.

Mr. Gresham to Sir Julian Pauncefote.

DEPARTMENT OF STATE,
Washington, June 2, 1894.

EXCELLENCY: I have the honor to inclose herewith copy of a bill which has passed both Houses of Congress and been approved by the President, entitled "A bill supplementary to an act approved April 6, 1894, for the execution of the award rendered at Paris, August 15, 1893, by the Tribunal of Arbitration constituted under the treaty between the United States and Great Britain, concluded at Washington, February 29, 1892, in relation to the preservation of the fur seal."

I have, etc.,

W. Q. GRESHAM.

[Inclosure in No. 115.]

A BILL supplementary to an act approved April sixth, eighteen hundred and ninety-four, for the execution of the award rendered at Paris, August fifteenth, eighteen hundred and ninety-three, by the Tribunal of Arbitration constituted under the treaty between the United States and Great Britain, concluded at Washington, February twenty-ninth, eighteen hundred and ninety-two, in relation to the preservation of the fur seal.

Whereas by the seventh article of the treaty between the United States and Great Britain, concluded at Washington, February twenty-ninth, eighteen hundred and ninety-two, in relation to the preservation of the fur seal, the high contracting parties agree to cooperate in securing the adhesion of other powers to such regulations as the arbitrators under said treaty might determine upon for that purpose; and

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*See inclosure in No. 57.

Whereas by an act of Congress, approved April sixth, eighteen hundred and ninety-four, provision has been made by the United States for the execution of the regulations so determined upon and for the punishment of any infractions of said regulations: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the procedure and penalties provided by said act, in case of the violation of the provisions of said regulations, are hereby made applicable to and shall be enforced against any citizen of the United States, or person owing the duty of obedience to the laws or the treaties of the United States, or person belonging to or on board of a vessel of the United States who shall kill, capture, or pursue, at any time or in any manner whatever, as well as to and against any vessel of the United States used or employed in killing, capturing, or pursuing, at any time or in any manner whatever, any fur seal or other marine fur-bearing animal, in violation of the provisions of any treaty or convention into which the United States may have entered or may hereafter enter with any other power for the purpose of protecting fur seals or other marine fur-bearing animals, or in violation of any regulations which the President may make for the due execution of such treaty or convention.

No. 116.

Sir Julian Pauncefote to Mr. Gresham.

WASHINGTON, *June 7, 1894.*

SIR: Adverting to the verbal communications which have passed between us respecting the best mode of verifying and adjusting the British claims for compensation for the seizure of British sealing vessels in Bering Sea, I have now the honor to transmit herewith, by direction of Her Majesty's principal secretary of state for foreign affairs, a complete list and summary of those claims, together with memoranda of the additions and amendments made since their original presentation. I am at the same time to make the following suggestion, with a view to adjustment of those claims with the least possible labor, expense, and delay:

The whole of the claims, excepting that of the *Henrietta* and that of the *Black Diamond* (1886), were laid before the Tribunal of Arbitration at Paris, together with the evidence in support of them. The facts on which they rest were found by the arbitrators, as provided by Article VIII of the Treaty of Arbitration, and form part of the award. In view of the decision of the Tribunal on the questions of law submitted to them, it only now remains to assess the damages. I am accordingly authorized by the Earl of Kimberley to propose that, for the purpose of such assessment, each Government should appoint a duly qualified commissioner, who should be a lawyer and, if possible, possess some knowledge of the conditions of the sealing industry.

That the two commissioners should sit together at Victoria, British Columbia, where all the evidence in verification of the claims can be obtained on the spot. That they should make a joint report on all the claims in which they have agreed as to the amount of damages, and separate reports in the cases in which they have failed to agree, fully stating the grounds of such disagreement.

That the assessment of damages by the two commissioners, where they have been able to agree, shall be final.

That in cases where they have been unabled to agree the differences shall be settled by the two Governments within a fixed period, failing which such differences shall be referred for final adjustment to an umpire to be appointed by the two Governments jointly, or, in case of disagreement, to be nominated by a foreign Government.

You informed me some time ago that, in the view of your Government, a convention would be necessary for the adjustment of the claims, and the Earl of Kimberley, to whom I did not fail to communicate that opinion, has instructed me to proceed at once with the negotiation of such a convention, on the basis of the arrangement above proposed, should it be favorably entertained by your Government.

I have, etc.,

JULIAN PAUNCEFOTE.

[Inclosure in No. 116.]

Memoranda of additions and amendments made since original presentation of list of British claims for compensation for the seizure of British sailing vessels in Bering Sea.

ADA.

Claim of the master, Captain Gaudin, for personal loss and damage	$3,000

This claim was, by a mistake on the part of the agent of the owner of the *Ada*, not included when the other claims in connection with this vessel were entered. Captain Gaudin thought that it had been so included, and it was only on seeing the printed list of the British claims that he discovered that such was not the case. He at once requested that the omission might be rectified and his claim added to the list, and Her Majesty's Government, after causing an inquiry to be made into the circumstances of the case, decided that his application should be granted.

Captain Gaudin's claim has accordingly been added to the schedule of the claims entered with respect to the schooner *Ada*.

HENRIETTA.

[Seized by the U. S. war ship *Yorktown* on September 4, 1892.]

Value of vessel	$4,000
Value of outfit and equipment	3,000
Value of 420 seal skins, at $18	7,560
Value of balance of estimated full catch for season in Bering Sea for three boats and three canoes, viz, 561 skins, at $18	10,098
Legal and personal expenses in defending action against vessel and cargo at Sitka, and in preparing and forwarding this claim	2,000
Claim of owner, with interest at 7 per cent, to date of payment	26,658

In his note, dated 13th of March last, Mr. Gresham stated that from the date on which the *Henrietta* was handed over to her captain, the United States Government ceased to bear any responsibility or to exercise any control with regard to that vessel, and that therefore they were unable to comply with the request of Her Majesty's Government that she should be sent to a British port for trial; but he added that the claim of her owner for compensation would receive due consideration when presented.

The claim in question has, therefore, been added to the general list of British claims.

BLACK DIAMOND.

[Additional claim submitted by the master, Mr. Henry Paxton, for damages alleged to have been sustained by reason of the above schooner having been ordered out of Bering Sea in 1886 by the United States authorities.]

Estimated catch for August, 1886, 1,000 skins at $7.50 each (the price of skins at Victoria during the fall of 1886)	$7,500

This claim was sent in too late for insertion in the general list of British claims. In view of the length of time that had elapsed since the occurrence of the action complained of, Her Majesty's Government deemed it advisable to cause an inquiry to be made as to the reason for the delay in presenting the claim. The reason given was that at the time of the seizure of the vessel, the coowners, who were three in number, were doubtful as to how far an appeal to the United States Government for redress would be entertained. In the following year one of the owners was lost at sea and another left the country, and it was only after the publication of the award that the surviving owner consulted his solicitor and was informed that he had a good and equitable claim for compensation. The claim was then drawn up and presented at once.

Her Majesty's Government also ascertained from the solicitors in question that the fact of the *Black Diamond* being boarded by the revenue officers of the United States and ordered out of Bering Sea in 1886 is entered in the records of the custom-house of Unalaska, and that due protest was made by the master of the vessel on the arrival of the schooner at Victoria.

Under the circumstances Her Majesty's Government considered that the reasons alleged for the delay were reasonable, and gave instructions that the claim should be presented to the United States Government, together with the other similar claims.

JUANITA.

It will be noticed that the original claim of the owner of the *Juanita*, which was stated at $14,695, has been amended so as to amount to $17,697.66.

The ground upon which this claim was amended was that the owner made his original statement on the basis of $8 per skin, whereas it was ascertained afterwards that the skins had been sold at San Francisco at an average of $9.67 per skin.

List and summary of the claims for compensation in respect of the seizures of British vessels in Bering Sea by the authorities of the United States.

CAROLENA.

[Seized by U. S. S. *Corwin* August 1, 1886.]

For—	Amount of claim as put forward by owner.
Value of vessel, 32 tons	$4,000.00
Value of outfit (inconsumable)	3,002.89
Insurance	352.50
Wages of crew up to date of seizure	1,832.22
Passage of crew from San Francisco to Victoria	71.72
Passage of mate, Sitka to Victoria, after release from prison	100.00
Personal expenses of owner	250.00
Legal expenses	1,250.00
Estimated seal catch for 1886	16,667.00
	27,526.33
Deduct value consumed during a full voyage	3,213.32
Claim by owner, with interest at 7 per cent to date of payment	24,313.01

List and summary of the claims for compensation, etc.—Continued.

PATHFINDER.

[Seized by U. S. S. *Richard Rush* July 29, 1889.]

For—	Amount of claim as put forward by owner.
854 skins seized, and estimated balance of catch (1,246), at $12.25 a skin	$25,725.00
Guns, etc., seized	765.00
New papers	25.00
Legal expenses	250.00
Claim of owner, with interest at 7 per cent to date of payment	26,765.00

TRIUMPH.

[Ordered out of Bering Sea by U. S. S. *Richard Rush* July 11, 1889.]

Balance of estimated catch of 2,500, at $8 a skin	$19,424.00
Legal and other expenses	250.00
Claim by owner, with interest at 7 per cent to date of payment	19,674.00

BLACK DIAMOND.

[Seized by U. S. S. *Richard Rush* July 11, 1889.]

76 skins seized, at $8	$608.00
2,024 skins, balance of estimated catch, at $8	16,192.00
Rifles, spears, etc., seized	110.00
New ship's papers	25.00
Legal and other expenses	250.00
Claim of owner, with interest at 7 per cent to date of payment	17,185.00

LILY.

[Seized by U. S. S. *Richard Rush* August 6, 1889.]

333 skins seized, at $8	$2,664.00
Balance of catch, 1,767, at $8	14,136.00
Spears and salt seized	101.00
New ship's papers	25.00
Legal and other expenses	250.00
Claim of owner, with interest at 7 per cent to date of payment	17,176.00

ARIEL.

[Ordered out of Bering Sea by U. S. S. *Richard Rush* July 30, 1889.]

Balance of estimated catch of 2,000 (1,156), at $8	$9,248.00
Legal and other expenses	250.00
Claim of owner, with interest at 7 per cent to date of payment	9,498.00

KATE.

[Ordered out of Bering Sea by U. S. S. *Richard Rush* August 13, 1889.]

Balance of catch	$10,960.00
Legal and other expenses	250.00
Claim of owner, with interest at 7 per cent to date of payment	11,210.00

List and summary of the claims for compensation, etc.—Continued.

ANNA BECK.

[Seized by U. S. S. *Richard Rush* June 28, 1887.]

For—	Amount of claim as put forward by owner.
Value of vessel	$8,000.00
Nonconsumable outfit	977.50
Passage of master and crew	460.54
Personal expenses of owner	250.00
Legal expenses	830.00
Probable seal catch, 1887, 3,150, at $5.50	17,325.00
Claim of owner, with interest at 7 per cent to date of payment	27,863.04

DOLPHIN.

[Seized by U. S. S. *Richard Rush* July 12, 1887.]

Value of vessel, 174 tons	$12,000.00
Value of nonconsumable outfit	2,051.50
Passage of master and crew	300.00
Personal expenses of owner	250.00
Legal expenses	850.00
Probable catch, 1887, 4,500, at $5.50	24,750.00
Claim of owner, with interest at 7 per cent to date of payment	40,201.50

ALFRED ADAMS.

[Seized by U. S. S. *Richard Rush* July 10, 1887.]

Value of outfit seized	$683.00
Personal expenses	200.00
Legal expenses	300.00
Probable catch, 3,500, at $5.50	19,250.00
Claim of owner, with interest at 7 per cent to date of payment	20,433.00

ADA.

[Seized by U. S. S. *Bear* August 25, 1887.]

Value of vessel, 68 tons	$7,000.00
Value of nonconsumable outfit	2,500.00
Passage etc., of master	100.00
Personal expenses	250.00
Legal expenses	850.00
Probable catch, 1887, 2,876, at $5.50	15,818.00
Claim of owner, with interest at 7 per cent to date of payment	26,518.00

TRIUMPH.

[Ordered not to enter Bering Sea by U. S. S. *Richard Rush* August 4, 1887.]

Illegal boarding and searching of *Triumph*, as set forth in affidavit	$2,000.00
1,000 seal skins	8,000.00
Legal and other expenses	250.00
Claim of owner, with interest at 7 per cent to date of payment	10,250.00

JUANITA.

[Seized by U. S. S. *Richard Rush* July 31, 1889.]

620 seal skins, at $8	$4,960.00
Balance of estimated catch for 1889, at $8	9,424.00
Spears, etc	36.00
New ship's papers	25.00
Legal and other expenses	250.00
Claim of owner, with interest at 7 per cent to date of payment	14,695.00
For amended claim, see colonial office to foreign office, November 23, 1893	17,697.66

List and summary of the claims for compensation, etc.—Continued.

PATHFINDER.

[Seized by U. S. S. *Richard Rush* July 29, 1889.]

For—	Amount of claim as put forward by owner.
854 skins seized, and estimated balance of catch (1,246), at $12.25 a skin	$25,725.00
Guns, etc., seized	765.00
New papers	25.00
Legal expenses	250.00
Claim of owner, with interest at 7 per cent to date of payment	26,765.00

TRIUMPH.

[Ordered out of Bering Sea by U. S. S. *Richard Rush* July 11, 1889.]

Balance of estimated catch of 2,500, at $8 a skin	$19,424.00
Legal and other expenses	250.00
Claim by owner, with interest at 7 per cent to date of payment	19,674.00

BLACK DIAMOND.

[Seized by U. S. S. *Richard Rush* July 11, 1889.]

76 skins seized, at $8	$608.00
2,024 skins, balance of estimated catch, at $8	16,192.00
Rifles, spears, etc., seized	110.00
New ship's papers	25.00
Legal and other expenses	250.00
Claim of owner, with interest at 7 per cent to date of payment	17,185.00

LILY.

[Seized by U. S. S. *Richard Rush* August 6, 1889.]

333 skins seized, at $8	$2,664.00
Balance of catch, 1,767, at $8	14,136.00
Spears and salt seized	101.00
New ship's papers	25.00
Legal and other expenses	250.00
Claim of owner, with interest at 7 per cent to date of payment	17,176.00

ARIEL.

[Ordered out of Bering Sea by U. S. S. *Richard Rush* July 30, 1889.]

Balance of estimated catch of 2,000 (1,156), at $8	$9,248.00
Legal and other expenses	250.00
Claim of owner, with interest at 7 per cent to date of payment	9,498.00

KATE.

[Ordered out of Bering Sea by U. S. S. *Richard Rush* August 13, 1889.]

Balance of catch	$10,960.00
Legal and other expenses	250.00
Claim of owner, with interest at 7 per cent to date of payment	11,210.00

List and summary of the claims for compensation, etc.—Continued.

MINNIE.

[Seized by U. S. S. *Richard Rush* July 5, 1889.]

For—	Amount of claim as put forward by owner.
420 skins seized	$3,360.00
Balance of catch	12,752.00
Guns and spears seized	98.00
Legal and other expenses	250.00
Claim of owner, with interest at 7 per cent to date of payment	16,460.00

PATHFINDER.

[Seized by U. S. S. *Thomas Corwin* March 27, 1890.]

Seizure and detention from March 27, 1890, to March 29, 1890	$2,000.00
Claim of owner, with interest at 7 per cent to date of payment	2,000.00

CLAIMS FOR 1886.

Claimed by—		Amount claimed.
David Moore, master of Onward	Illegal arrest and imprisonment	$4,000
Margotich, mate of Onward	do	2,500
Hans Guttornasen, master of Thornton	do	4,000
Harry Norman, mate of Thornton	do	2,500
Jas. Ogilvie, master of Carolena	do	2,500
Jas. Black, mate of Carolena	do	2,500
Total for 1886		18,000

CLAIMS FOR 1887.

Warren, master of Dolphin	Sufferings and losses navigating four vessels from Unalaska to Sitka.	$2,635
John Riely, mate of Dolphin	do	1,000
George P. Ferey, master of W. P. Sayward	do	2,000
A. B. Laing, mate of W. P. Sayward	do	1,000
Louis Olsen, master of Anna Beck	do	2,000
Michael Keefe, mate of Anna Beck	do	1,000
W. Petit, master of Grace	do	2,000
C. A. Lundberg, mate of Ada	do	2,000
Total for 1887		13,635
Total for 1886 and 1887		31,635
To be added to 1886, personal claims Captain Gaudin, of Ada.		3,000
Amended total 1886 and 1887		34,635

List and summary of the claims for compensation, etc.—Continued.

RECAPITULATION.

Year.	Vessel.	Amount claimed.	Total.
1886	Carolena	$24,313.01	
	Thornton	26,817.65	
	Onward	23,269.71	
	Favourite	7,000.00	
	Personal claims	18,000.00	$99,400.37
1887	W. P. Sayward	28,055.00	
	Grace	38,142.57	
	Anna Beck	27,863.04	
	Dolphin	40,201.50	
	Ada	26,518.00	
	Alfred Adams	20,433.00	
	Triumph	10,250.00	
	Personal claims	13,635.00	205,098.11
1889	Juanita	14,695.00	
	Pathfinder	26,765.00	
	Triumph	19,674.00	
	Black Diamond	17,185.00	
	Lily	17,176.00	
	Ariel	9,498.00	
	Minnie	16,460.00	
	Kate	11,210.00	132,663.00
1890	Pathfinder		2,000.00
	Total claims without interest		439,161.48
	Costs of suit before Supreme Court, United States, in reseizure of W. P. Sayward		62,847.12

TOTAL.

1886.	Vessels	$81,400.37
	Personal claims	18,000.00
1887.	Vessels	191,468.11
	Personal claims	13,635.00
1889.	Vessels	132,663.00
1890.	Vessels	2,000.00
		439,161.48
W. P. Sayward costs		62,847.12
	Total	502,008.60
Extra for Juanita		3,002.66
Extra for Black Diamond (1886)		7,500.00
Extra for Ada		8,000.00
	Total	515,511.26
Henrietta		26,658.00
	Amended total	542,169.26

No. 117.

Mr. Uhl to Sir Julian Pauncefote.

DEPARTMENT OF STATE,
Washington, June 8, 1894.

EXCELLENCY: Referring to the Department's note of the 2d instant, transmitting copy of a bill which had passed both Houses of Congress, and which was inadvertently stated to have been approved by the President, entitled "A bill supplementary to an act approved April 6, 1894, for the execution of the award rendered at Paris, August 15, 1893, by the Tribunal of Arbitration constituted under the treaty between the United States and Great Britain, concluded at Washington, February 29, 1892, in relation to the preservation of the fur seal," I have now the honor to inclose three copies of the act as approved by the President on June 5, 1894. It will be observed that the words "securing the adhesion of such power to the regulations aforesaid," occurring in the sixteenth and seventeenth lines of the bill sent you (second page), were not in the bill as passed, and do not appear in the approved act.

I have, etc.,

EDWIN F. UHL,
Acting Secretary.

[Inclosure in No. 117.]

[PUBLIC—NO. 76.]

An act supplementary to an act approved April sixth, eighteen hundred and ninety-four, for the execution of the award rendered at Paris, August fifteenth, eighteen hundred and ninety-three, by the Tribunal of Arbitration constituted under the treaty between the United States and Great Britain, concluded at Washington, February twenty-ninth, eighteen hundred and ninety-two, in relation to the preservation of the fur seal.

Whereas by the seventh article of the treaty between the United States and Great Britain, concluded at Washington, February twenty-ninth, eighteen hundred and ninety-two, in relation to the preservation of the fur seal, the high contracting parties agree to cooperate in securing the adhesion of other powers to such regulations as the arbitrators under said treaty might determine upon for that purpose; and

Whereas by an act of Congress approved April sixth, eighteen hundred and ninety-four, provision has been made by the United States for the execution of the regulations so determined upon and for the punishment of any infractions of said regulations: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the procedure and penalties provided by said act, in case of the violation of the provisions of said regulations, are hereby made applicable to and shall be enforced against any citizen of the United States, or person owing the duty of obedience to the laws or the treaties of the United States, or person belonging to or on board of a vessel of the United States who shall kill, capture, or pursue, at any time or in any manner whatever, as well as to and against any vessel of the United States used or employed in killing, capturing, or pursuing, at any time or in any manner whatever, any fur seal or other marine fur-bearing animal, in violation of the provisions of any treaty or convention into which the United States may have entered or may hereafter enter with any other power for the purpose of protecting fur seals or other marine fur-bearing animals, or in violation of any regulations which the President may make for the due execution of such treaty or convention.

Approved, June 5, 1894.

No. 118.

Mr. Gresham to Sir Julian Pauncefote.

DEPARTMENT OF STATE,
Washington, July 21, 1894.

EXCELLENCY: Referring to your interview in June last with the Secretary of the Treasury, relative to the request of the Makah Indians for permission to use their schooners as places of refuge while fishing in Bering Sea and the waters thereof, I have the honor to inclose herewith copy of Mr. Carlisle's letter of the 19th instant, transmitting for your information copy of a letter from the Secretary of the Interior, dated June 27, 1894, and of its inclosure regarding this matter.

I have, etc.,

W. Q. GRESHAM.

No. 119.

Sir Julian Pauncefote to Mr. Gresham.

WASHINGTON, *July 30, 1894.*

SIR: With reference to the identic note which it is proposed that the Governments of Great Britain and of the United States should address to the maritime powers inviting their adhesion to the Bering Sea regulations, I have the honor to submit for your consideration the accompanying list of powers to whom it is suggested by my Government that the identic note should be addressed. I should be glad to be informed whether the list meets with the approval of your Government, and, if so, of the date on which you would propose that the identic note should be issued.

I have, etc., JULIAN PAUNCEFOTE.

[Inclosure in No. 119.]

Argentine Republic, Austria-Hungary, Belgium, Brazil, Chile, China, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, France, Germany, Greece, Guatemala, Hawaii, Haiti, Honduras, Italy, Japan, Mexico, Netherlands, Nicaragua, Peru, Portugal, Russia, San Salvador, Spain, Sweden and Norway, Turkey, Uruguay, Venezuela.

KIMBERLEY.

DRAFT IDENTIC NOTE TO THE MARITIME POWERS.

SIR: I have the honor to address you, under instructions from my Government, on the subject of the regulations established on the eastern side of the North Pacific Ocean, from the twenty-fifth degree of north latitude to the Bering Straits, for the proper protection and preservation of the fur-seal species.

Those regulations which are at present applicable only to the subjects or citizens of Great Britain and of the United States are prescribed by the award of the Tribunal of Arbitration constituted under Article I of the treaty concluded between those two powers at Washington on the 29th day of February, 1892. The preservation of the fur-seal species, however, being an object of interest and concern to the whole of the civilized world, the high contracting parties agreed, by Article VII of the above-mentioned treaty, to cooperate in securing the adhesion of other powers to such regulations as the arbitrators should deem necessary to carry out the purpose in view, having regard to the particular conditions of fur-seal hunting in the waters referred to.

The Governments of Great Britain and the United States of America have given effect by suitable legislation to the regulations prescribed by the award, and the time has therefore now arrived for inviting the adhesion of the other powers thereto. Accordingly, I have the

honor to transmit herewith a copy of the award setting out in substance the provisions of the treaty and prescribing the regulations in
British
question. I have also the honor to transmit a copy of the ————
United States
Parliament
act of ———— passed to give effect to those regulations as regards
Congress
British subjects
———— vessels and ————.
United States citizens

It only remains to me, on behalf of my Government and in execution of my instructions, to invite the adhesion of your Government to the regulations prescribed by the award with a view to their applica-
subjects
tion to the vessels and ———— of your country and to their enforce-
citizens
ment by appropriate national legislation.

My Government will be much gratified to learn that your nation is
Great Britain United
willing to support the efforts made by ———— and the ————
United States Great
States
———— in so beneficent a cause.
Britain

No. 120.

Sir Julian Pauncefote to Mr. Gresham.

WASHINGTON, *July 31, 1894.*

SIR: I have the honor to acknowledge the receipt of your note of the 21st instant, in which you were good enough to transmit for my information copies of communications from Mr. Secretary Carlisle and the Secretary of the Interior with regard to the request of the Makah Indians for permission to use their schooners as places of refuge while fishing in Bering Sea and the waters thereof.

I lost no time in forwarding copies of these communications to Her Majesty's principal secretary of state for foreign affairs, and as soon as I receive a reply from his Lordship I will inform you of the views entertained on this subject by Her Majesty's Government.

I have, etc.,

JULIAN PAUNCEFOTE.

No. 121.

Sir Julian Pauncefote to Mr. Gresham.

WASHINGTON, *August 1, 1894.*

SIR: In accordance with instructions which I have received from the Earl of Kimberley, I have the honor to inclose herewith copy of an Order in Council of the 27th ultimo, providing for the special form of license to be granted to sealing vessels in the Bering Sea, and describing the distinctive flag to be flown by them.

I have etc.,

JULIAN PAUNCEFOTE.

[Inclosure in No. 121.—Extract from the London Gazette of Friday, June 29, 1894.]

ORDER IN COUNCIL.

Bering Sea Award (No. 2), 1894.

WINDSOR, *26th June, 1894.*

At the Court at Windsor, the 27th day of June, 1894. Present: The Queen's Most Excellent Majesty, Earl Spencer, Lord Chamberlain, Lord Kensington.

Whereas by "the Bering Sea award act, 1894," it is enacted that Her Majesty the Queen in council may make orders for carrying into effect the provisions of the Bering Sea arbitration award set out in the first schedule to that act, and therein referred to as the scheduled provisions.

And whereas by Article three of "The Bering Sea award order in council, 1894," Her Majesty ordered that until arrangements for giving further effect to Articles four and seven of the said scheduled provisions should have been made between Her Majesty and the Government of the United States, the provisions contained in that article should have effect;

And whereas arrangements have been made for giving further effect to the said articles, and for regulating during the present year the fishing for fur seals in accordance with the said scheduled provisions; and it is expedient that effect should be given to those arrangements by an order in council under the said act:

Now, therefore, Her Majesty, in virture of the powers vested in her by the said recited act, and of all other powers enabling her in that behalf, is hereby pleased by and with the advice of her privy council, to order, and it is hereby ordered, as follows:

1. On the application of the owner of any British sailing vessel intended to be employed in fur-seal fishing under the provisions of the recited act, a secretary of state may, if satisfactory evidence as required by the said article seven has been given by such owner of the fitness of the men to be employed by him on the said vessel in the said fishing, grant a special licence in the form in the schedule hereto, authorizing that vessel for the present year to fish for fur seals during the period in the manner and in the waters in which fur-seal fishing is allowed by the recited act, and the said special licence, when so granted, shall be carried on board the said vessel at all times while so employed.

2. Every British sailing vessel provided with a special licence under this order or the recited order, or which, under the recited order, is deemed to have been so provided, shall show under her national colours a flag, not less than four feet square, of two equal triangular pieces, yellow and black, joined from the right hand upper corner of the fly to the left hand lower corner of the luff, the part above and to the left to be black, and the part to the right and below to be yellow.

3. If, in the case of any vessel, there is any contravention of these regulations, the Secretary of State, whether any penalty has been recovered under the recited act or not, may revoke the special licence.

4. Article three of the recited order is hereby repealed, without prejudice, however, to any authorization given thereunder.

5. This order may be cited as "The Bering Sea award order in council (No. 2), 1894," and the recited order and this order may together be cited as "The Bering Sea award orders in council, 1894."

And the right honorable the Earl of Kimberley, K. G., and the most honorable the Marquess of Ripon, K. G., two of Her Majesty's principal secretaries of state, and the Lords of the Admiralty, are to give the necessary directions herein as to them respectively appertain.

C. L. PEEL.

SCHEDULE.

Form of special licence.

["The Bering Sea award act, 1894;" "The Bering Sea award orders in council, 1894."]

Special licence.

Whereas the British sailing-vessel ——— is intended to be employed during the present year in fishing for fur seals under the provisions of "The Bering Sea award act, 1894:"

And whereas A. B., the owner [or A. B. and others, owners] of the said vessel, have given satisfactory evidence of the fitness of the men who are to be employed on board the said vessel in the said fishing:

Now, therefore, in pursuance of the above-mentioned act and orders in council, I hereby authorize the said vessel for the present year to be employed in fur-seal fishing during the period of time in the manner and in the waters in which fur-seal fishing is allowed by the above-mentioned act.

This special licence is subject to revocation in case of any contravention of the above-mentioned act or orders in council.

Given under my hand this ——— day of ———, one thousand eight hundred and ninety-four.

——— ———,
Secretary of State.

No. 122.

Mr. Gresham to Sir Julian Pauncefote.

DEPARTMENT OF STATE,
Washington, August 6, 1894.

EXCELLENCY: I have the honor to say, in reply to your note of the 30th ultimo, that the list therewith submitted of the maritime powers proposed to be concurrently invited to adhere to the Bering Sea regulations meets with the approval of this Government.

In response to your further inquiry, I would suggest the 20th instant as a convenient date for the dispatch of the identic note to the enumerated powers.

I have, etc. W. Q. GRESHAM.

No. 123.

Mr. Gresham to Sir Julian Pauncefote.

DEPARTMENT OF STATE,
Washington, August 16, 1894.

DEAR SIR JULIAN: I have your note of the 15th instant in relation to the proposed convention for the settlement of the Bering Sea claims.

Referring to the doubts raised by Her Majesty's Government as to the restrictive effect of the words "British subjects," in the fourth recital of Article I of my counterdraft, you state that you mentioned to Lord Kimberley I had given you the assurance that the Government of the United States "desired to satisfy all claims, the payment of which was justly due by international law;" and you then say that you have received a reply from His Lordship "to the effect that Her Majesty's Government take note of that assurance and waive their objection to the words in question."

While I am not of opinion that the language of your note is ambiguous, it is perhaps advisable, in order to avoid any possible misunderstanding hereafter, to say that in referring to international law it was not my intention either to enlarge or restrict the language of the proposed convention, but it was my intention to convey the idea that the Commissioners would, in construing its terms, be governed by the principles of international law. Such I understand to be your interpretation of my meaning, as expressed in your note; but out of abundant caution, I desire to avoid any possible ground for the inference that anything may have been said by me with the intention of modifying or controlling the convention by assurances given outside of it.

If convenient to you I shall be pleased to meet you at this Department at 11 o'clock a. m. to-morrow, for the purpose of signing the convention.

I remain, etc., W. Q. GRESHAM.

No. 124.

Mr. Gresham to Mr. Zeballos.

DEPARTMENT OF STATE,
Washington, August 20, 1894.

SIR: I have the honor to address you on the subject of the regulations established on the eastern side of the North Pacific Ocean from the thirty-fifth degree of north latitude to the Bering Straits for the proper protection and preservation of the fur-seal species.

Those regulations, which are at present applicable only to the subjects or citizens of the United States and of Great Britain, are prescribed by the award of the Tribunal of Arbitration constituted under Article I of the treaty concluded between the two powers at Washington on the 29th of February, 1892. The preservation of the fur-seal species, however, being an object of interest and concern to the whole of the civilized world, the high contracting parties agreed, by Article VII of the above-mentioned treaty, to cooperate in securing the adhesion of other powers to such regulations as the arbitrators should deem necessary to carry out the purpose in view, having regard to the particular conditions of fur-seal hunting in the waters referred to.

The Government of the United States has given effect by suitable legislation to the regulations prescribed by the award, and the time has therefore now arrived for inviting the adhesion of the other powers thereto. Accordingly, I have the honor to transmit herewith a copy of the award, setting out in substance the provisions of the treaty and prescribing the regulations in question. I have also the honor to transmit a copy of the acts of Congress passed to give effect to those regulations as regards United States vessels and citizens.

It only remains for me to invite the adhesion of your Government to the regulations prescribed by the award, with a view to their application to the vessels and citizens of your country and to their enforcement by appropriate national legislation.

This Government will be much gratified to learn that the Government of the Argentine Republic is willing to support the efforts made by the United States and Great Britain in so beneficent a cause.

Accept, sir, etc.,

W. Q. GRESHAM.

[Inclosures.]

Identic note sent to—	Acknowledged.	Identic note sent to—	Acknowledged.
Argentine legation	Sept. 4. 1894.	Japanese legation	Aug. 23, 1894.
Austro-Hungarian legation	Aug. 22, 1894.	Mexican legation	Aug. 21, 1894.
Belgian legation	Dec. 23, 1894.	Netherlands consulate-general.	Sept. 17, 1894.
Brazilian legation	Aug. 24, 1894.	Peruvian legation	Aug. 21, 1894.
Chilean legation	Aug. 21. 1894.	Portuguese legation	Oct. 15, 1894.
French embassy	Oct. 5, 1894.	Russian legation	Aug. 10–22, 1894.
German embassy	Oct. 29, 1894.	Spanish legation	Aug. 24, 1894.
Hawaiian legation	Aug. 22, 1894.	Swedish legation	
Italian embassy	Nov. 5, 1894.	Turkish legation	

Acknowledgments of receipt of identic note are as follows:

Mr. Zeballos to Mr. Gresham.

[Translation.]

ARGENTINE LEGATION,
Washington, September 4, 1894.

MR. SECRETARY OF STATE: I have had the honor to receive your excellency's communication of the 20th ultimo relative to the rule established on the east coast of the North Pacific Ocean, from parallel 35 north latitude to Bering Strait, for the protection and preservation of fur seals. Your excellency calls attention to Article VII of the treaty concluded between the United States of America and Great Britain on the 29th of February, 1892, whereby the high contracting parties agreed to endeavor to secure the adhesion of the other powers to the rules established by the arbitrators for the aforesaid purpose. Your excellency inclosed two copies of the decision and the declarations of the tribunal, and two copies of the law of Congress approved April 6, 1894. Your excellency concludes by courteously inviting the Government of the Argentine Republic to adhere to the rules established by the national legislation on the subject.

I shall be very happy to submit the note and the documents with which your excellency has honored me to the consideration of the Argentine Government.

It is proper for me to inform your excellency that the Argentine Congress will terminate its ordinary sessions, according to the national constitution, on the 30th day of the present month of September, so that if my Government decides to lay the matter before that body, as I do not doubt that it will, it can not be acted upon before the first session of 1895.

I renew to your excellency, Mr. Secretary of State, the assurances of my highest consideration.

ESTANISLAO S. ZEBALLOS.

Mr. Mezey to Mr. Gresham.

IMPERIAL AND ROYAL AUSTRO-HUNGARIAN LEGATION,
Washington, August 22, 1894. (Received August 22.)

SIR: I have the honor to acknowledge the receipt of your note of the 20th instant on the subject of the regulations established on the eastern side of the North Pacific Ocean from the thirty-fifth degree of north latitude to the Bering Straits, for the protection and preservation of the fur-seal species.

In reply to it I have the honor to inform you, sir, that, in compliance with your desire, I have referred the matter to the Imperial and Royal Government for its adhesion to the regulations prescribed by the award of the Tribunal of Arbitration constituted under Article I of the treaty concluded between the United States and Great Britain the 29th of February, 1892.

I avail, etc., MEZEY.

M. de Buisseret to Mr. Gresham.

[Translation.]

LEGATION OF BELGIUM,
Washington, December 23, 1894.

MR. MINISTER: Your excellency did me the honor to address to me, under date of the 20th of August last, the regulations for the protection of fur seals in Bering Sea, adding that the United States Government invited the Belgian Government to adhere thereto.

As no Belgian vessel ever visits the regions in question, my Government thinks—and it has instructed me so to inform your excellency—that there is no reason for proposing any special measure to the legislative body of Belgium.

It adds that it nevertheless renders sincere homage to the efforts that are made by the United States, together with Great Britain, in behalf of a cause which interests the entire world.

I beg your excellency to accept, etc., for the minister,

CONRAD DE BUISSERET.

Mr. Mendonca to Mr. Gresham.

LEGATION OF THE UNITED STATES OF BRAZIL,
New York, August 24, 1894. (Received August 28).

SIR: I have the honor to acknowledge the receipt of your excellency's note and inclosures of the 20th instant, on the subject of the regulations established for the protection and preservation of the fur-seal species and inviting the adhesion of my Government to said regulations.

I will transmit to my Government the aforesaid documents for its action.

Accept, etc., SALVADORO MENDONCA.

Mr. Gana to Mr. Gresham.

LEGATION OF CHILE,
Washington, August 21, 1894. (Received August 22.)

SIR: I have the honor to acknowledge the communication of your excellency, of yesterday's date, in which your excellency is pleased to express to me the wish that the Government of Chile should adhere to the provisions for the preservation of the fur seal made by the Arbitration Tribunal created by the treaty of February 29, 1892, and that it should adopt the legislative measures requisite to that end.

In reply I hasten to inform your excellency that I forward without delay to my Government both your excellency's communication and the accompanying documents.

I avail, etc.,

DOMINGO GANA.

Mr. Patenôtre to Mr. Gresham.

[Translation.]

EMBASSY OF THE FRENCH REPUBLIC
IN THE UNITED STATES,
Washington, October 5, 1894.

MR. SECRETARY OF STATE: In advising me, as you did by your note of August 20, of the enforcement of the new regulations adopted by the Washington and London cabinets in order to secure, in conformity with the decisions of the Paris Tribunal of Arbitration, the protection of fur seals in Bering Sea, you were pleased to inform me of the wish entertained by the Federal Government that the Government of the Republic should render these regulations obligatory upon French citizens. The minister of foreign affairs, to whom I transmitted your communication, informs me that the question has just been submitted to the competent authorities for examination. As soon as a decision shall have been reached in the matter, I shall have the honor to communicate it to you.

Be pleased to accept, Mr. Secretary of State the assurance of my very high consideration.

PATENÔTRE.

Baron Saurma to Mr. Gresham.

[Translation.]

IMPERIAL GERMAN EMBASSY,
Washington, October 29, 1894.

MR. SECRETARY OF STATE: Pursuant to instructions, I have the honor to inform your excellency, in reply to your note of the 20th of August last, that, upon investigation, it is shown that German shipping has never taken part in seal hunting in Bering Sea, and that under these circumstances the Imperial Government does not consider it sufficiently important to resort to imperial legislation for the protection of the seals in the manner proposed.

The Imperial Government, however, will gladly take occasion, through public notices, and by executive means, to issue warnings to its people interested in shipping, in conformity with the laws enacted by Great Britain and the United States.

Accept, etc.,

SAURMA.

Mr. Hastings to Mr. Gresham.

HAWAIIAN LEGATION,
Washington, August 22, 1894.

SIR: I have the honor to acknowledge the receipt of your communication of the 20th instant, on the subject of the regulations established on the eastern side of the North Pacific Ocean from the thirty-fifth degree of north latitude to the Bering's Straits for the protection and preservation of the fur seal, and inviting the adhesion of the Government of Hawaii to the regulations prescribed by the award of the Tribunal of Arbitration concluded at Paris on August 15, 1893, between the Government of the United States and that of Great Britain.

In reply thereto, I beg to inform you that a copy of your communication, and the inclosures therewith, will at once be forwarded to my Government, and I venture to predict that the earliest possible action will be taken by the authorities at Honolulu in issuing the necessary orders to the masters of Hawaiian vessels and to citizens of the Hawaiian Republic to observe the regulations prescribed, and that every aid will be given the high contracting parties by legislation and otherwise, looking to the protection of the fur seal in the territory described.

With renewed assurances, etc.

FRANK P. HASTINGS.

Baron Fava to Mr. Gresham.

[Translation.]

EMBASSY OF H. M., THE KING OF ITALY,
Washington, November 5, 1894.

MR. SECRETARY OF STATE: His Majesty's minister of foreign affairs, to whom I hastened to communicate the contents of the note of your honorable Department of the 30th of August last, instructs me to thank your excellency for this communication, and at the same time to announce the adhesion of the King's Government to the rules established by agreement between the Federal Government and that of Her Britannic Majesty for the regulation of seal fishing in Bering Sea.

I therefore have the honor, in obedience to the instructions which I have received, to communicate the foregoing to your excellency, and I avail myself, at the same time, of this occasion to renew to you, Mr. Secretary of State, the assurances of my highest consideration.

FAVA.

Mr. Miyaoka to Mr. Gresham.

LEGATION OF JAPAN,
Washington, August 23, 1894. (Received August 24.)

SIR: I have the honor to acknowledge the receipt of your communication dated the 20th instant and having reference to the regulations for the preservation of the fur-seal species agreed to by the Governments of the United States and Great Britain in conformity with the award of the Tribunal of Arbitration between those two powers held at Paris. I have also the honor to acknowledge the receipt of the copies of the award and of the acts of Congress passed to give effect to the regulations embodied in it, which you have been good enough to transmit with your communication.

With reference to the invitation which you convey to the Imperial Government to give its adhesion to these regulations for the protection and preservation of fur seal, I beg to say that I shall hasten to take advantage of the earliest opportunity to inform my Government of the contents of your communication, in order that a formal reply may be given as soon as possible.

Be pleased to accept, etc., TSUNEJIRO MIYAOKA.

Mr. Romero to Mr. Gresham.

[Translation.]

LEGATION OF MEXICO,
White Plains, N. Y., August 21, 1894. (Received August 23.)

Mr. SECRETARY: I have the honor to acknowledge the receipt of your note of the 20th instant, with the inclosed documents, in which you request, in virtue of the treaty signed at Washington February 29, 1892, between the United States of America and Great Britain, the adhesion of the Government of Mexico to the regulations prescribed by the Tribunal of Arbitration organized in virtue of Article I of said treaty, applicable to the eastern side of the North Pacific Ocean from the thirty-fifth degree of north latitude to Bering Straits, for the protection and preservation of the fur seals, and to prevent their extermination by hunters in that region.

The signatory powers to this treaty propose to obtain the adhesion of the other nations to the regulations prescribed by the Tribunal of Arbitration, which have hitherto been binding upon the two contracting nations only, in order to prevent the extermination of the seals, a matter which concerns the civilized world, and to this end you request the adhesion of the Government of Mexico.

I have the honor to inform you in reply that I have transmitted to my Government a copy of your note, and of each of the inclosed documents, in order that, being informed of them and of the circumstances of the case, they may decide as they may deem convenient.

Accept, etc.,

M. ROMERO.

Mr. Planten to Mr. Gresham.

CONSULATE-GENERAL OF THE NETHERLANDS,
New York, September 17, 1894. (Received September 19.)

SIR: In reply to your letter of August 20 last, on the subject of the regulations established on the eastern side of the North Pacific Ocean from the thirty-fifth degree of north latitude to the Bering Straits for the proper protection and preservation of the fur-seal species, I am instructed to inform your excellency that Her Majesty's Government is taking the matter in consideration and will inform your Government as soon as possible of the result of its consideration.

Accept, etc.,

J. R. PLANTEN.

Mr. Yrigoyen to Mr. Gresham.

LEGATION OF PERU,
Washington, August 21, 1894. (Received August 21.)

SIR: I have the honor to acknowledge the receipt of your favor of yesterday's date, and the documents to which you refer.

In your favor you are pleased to inform me that agreeably to the provision of Article VII of the treaty of arbitration concluded between the United States and Great Britain, February 29, 1892, the United

States seek to obtain the adhesion of the other powers to the regulations which the arbitrators consider necessary for the preservation of the fur seal on the east side of the North Pacific Ocean from the thirty-fifth degree of north latitude to Bering Straits.

For that purpose you are pleased to express to me the desire that my Government should adhere to said regulations, by means of adequate legislation.

In reply, I have the pleasure to inform you that I will forward to my Government by the next steamer your highly esteemed note and the documents inclosed, and that as soon as I shall receive his reply I will communicate it to your Department.

I avail, etc.,

JOSE M. YRIGOYEN.

Mr. Da Costa Duarte to Mr. Gresham.

[Translation.]

LEGATION OF PORTUGAL,
Washington, October 15, 1894.

MR. SECRETARY: The Government of his very faithful majesty having decided to give its adherence to the regulations prescribed by the Tribunal of Arbitration of Paris which, for the effective protection and preservation of the fur seal must be applied to the eastern side of the North Pacific Ocean from the thirty-fifth degree of north latitude to Bering Straits, agreeably to the wishes expressed in the note which your excellency did the honor to address to me on the 20th of last August, has instructed me to notify your excellency thereof.

The Government of His Majesty, however, desires that it be distinctly and clearly established that its adherence is restrictive simply as regards the taking of the fur seal, and in the waters comprised within the limits traced by the Tribunal of Arbitration of Paris, this act of the Government implying no recognition on its part of any principle tending to regulate fishing outside of the territorial waters of each nation.

Be pleased to accept, etc., IGNACIO DA COSTA DUARTE.

Prince Cantacuzene to Mr. Gresham.

[Translation.]

NEW LONDON, CONN., *August 10–22, 1894.*

MR. SECRETARY OF STATE: I have had the honor to receive the note which you were pleased to address me on the 20th of August instant, transmitting to me the declarations and the award of the Tribunal of Arbitration in the matter of the preservation of fur seal as well as the legislative measures taken by the United States to the end of assuring the efficacy of the Paris regulations.

Resting on the seventh article of your treaty with England of February 29, 1892, you are pleased to address to me at the same time the invitation of the Federal Government to the Imperial Government to adhere to the arbitral decisions of Paris, and to cause them to be respected by Russian subjects and vessels, by taking to such end the necessary legislative steps.

I will make it my prompt duty to transmit to my Government the communication you have addressed to me on this subject, and I reserve informing you of the reply of the Imperial Government when it shall reach me.

I think that I can, however, at once inform you that Russia, having to the same degree as the United States an interest and an imperative duty to equally assure in her waters the preservation of fur seal, the Imperial Government could not give its adhesion to the Paris regulations and to the legislative measures adopted in consequence thereof at Washington and at London unless the totality of those measures be applied likewise to all the waters of the Pacific situated to the north of the thirty-fifth degree of north latitude.

Be pleased, etc., CANTACUZENE.

Mr. Muruaga to Mr. Gresham.

LEGATION OF SPAIN,
Washington, August 24, 1894. (Received August 25.)

The undersigned, envoy extraordinary and minister plenipotentiary of Spain, has the honor to inform the honorable Secretary of State that he has received his note of the 20th instant, relative to the judgments pronounced by the Tribunal of Arbitration at Paris in the question submitted to it by the Government of the United States and that of Great Britain, concerning the taking and preservation of fur seals in Bering Sea, and to the invitation addressed to the Government of Spain to adhere to the decisions of said tribunal.

The undersigned minister has informed the Government of His Majesty of the desire expressed in the said note, and has transmitted to it at the same time the documents inclosed therein, and as soon as an answer shall be received he will hasten to transmit it to the honorable Secretary of State.

The undersigned avails, etc., E. DE MURUAGA.

No. 125.

Mr. Gresham to Sir Julian Pauncefote.

DEPARTMENT OF STATE,
Washington, August 21, 1894.

EXCELLENCY: Referring to our verbal communications of a recent date, I have now the honor formally to acknowledge the receipt of your note of the 7th of June last, in which you propose in behalf of Her Majesty's Government the establishment of a mixed commission for the purpose of "verifying and adjusting the claims for compensation for the seizure of British sealing vessels in Bering Sea."

While no serious difficulty is anticipated in settling and determining the claims by means of a mixed commission, it is a matter of interest to both Governments that they should, if possible, be disposed of in a simpler and less expensive way. Proceedings by a mixed commission, while always more or less formal and cumbersome, are, like all other processes of litigation, necessarily attended with expense, not infrequently considerable in amount, as well as with delay.

In the present case the award and findings of the Tribunal of Arbitration at Paris have, to a great extent, determined the facts and the principles on which the claims should be adjusted, and in the course of the negotiations for a mixed commission, they have been subjected by both Governments to a thorough examination, both upon the principles and the facts which they involve.

Under these circumstances the President, after full consideration of the whole subject, has reached the conclusion that it may be practicable as well as advantageous to effect a direct settlement of the claims by the payment of a lump sum in full satisfaction of all demands for damages against the United States growing out of the controversy between the two Governments as to the fur seals in Bering Sea; and to this end I am instructed by the President to propose the sum of $425,000.

This propositon, if it should prove to be acceptable to Her Majesty's Government, is to be understood as having been made subject to the action of Congress on the question of appropriating the money. The President can only undertake to submit the matter to Congress at the beginning of its session in December next, with a recommendation that the money be appropriated and made immediately available for the purpose above expressed; and if at any time before the appropriation is made your Government shall desire, it is understood that the negotiations on which we have for some time been engaged for the establishment of a mixed commission will be renewed.

I have, etc. W. Q. GRESHAM.

No. 126.

Sir Julian Pauncefote to Mr. Gresham.

WASHINGTON, *August 21, 1894.*

SIR: I have the honor to acknowledge the receipt of your note of this date on the subject of our recent negotiations for the adjustment, by means of a mixed commission, of the claims of Great Britain against the United States in respect of the seizure of British sealing vessels by United States cruisers in Bering Sea.

You state that the President, after full consideration, is of opinion that it would be in the interest of both Governments to effect the direct settlement of the claims by the payment of a lump sum, in order to avoid the delay and expense of a mixed commission, and that you have been instructed to propose the sum of $425,000.

You also state that the proposal is made subject to the necessary appropriation by Congress, to which it would be submitted at the beginning of its session in December next, with a recommendation that the money be made immediately available for the purpose above mentioned.

You add that if at any time before the appropriation is made Her Majesty's Government shall desire it the negotiations for the establishment of a mixed commission shall be resumed.

I have the honor to state in reply that Her Majesty's Government concur in the views of the President as to the expediency of effecting a settlement by the method proposed, and that they are indeed so fully sensible of the great advantages presented to both Governments by that course that they are willing to accept the sum offered, coupled with the assurance of prompt payment, although the amount is much below their estimate of the compensation, which might fairly be awarded by a mixed commission.

It should be understood, therefore, that if the negotiations for a mixed commission should be resumed the acceptance of your proposal shall in no way prejudice the claimants in the further prosecution of their demands.

It only remains for me to express my gratification at this amicable solution of the last subject of discussion in the long Bering Sea controversy.

I have, etc. JULIAN PAUNCEFOTE.

No. 127.

Mr. Gresham to Sir Julian Pauncefote.

DEPARTMENT OF STATE,
Washington, January 23, 1895.

EXCELLENCY: I have the honor to transmit to you an official statement of the American pelagic fur-seal catch of 1894, taken from the records of the custom-houses at the ports of San Francisco, Port Townsend, and Astoria, for transmission to your Government in compliance with Article V of the Bering Sea arbitration award.

It will be observed by reference to this statement that in many instances the latitude and longitude have been omitted. In explanation of this omission I am informed by the Secretary of the Treasury that the collector of customs at San Francisco has reported the masters of the vessels deposed under oath, that they cleared without notice of the pending award, and consequently were ignorant of this requirement.

In addition to the number of seals officially entered as mentioned in the statement above referred to, namely, 26,095, information obtained from the annual sales of fur-seal skins in London indicates that there were, in fact, sent to London about 139,000 skins, Asiatic and American, taken in the North Pacific Ocean and Bering Sea. Adding to this the skins estimated as retained in the United States, about 3,000, the total catch would appear to be about 142,000. The number of skins entered at Victoria, according to a report transmitted by the United States consul, is 95,048. The total of the American and British entries therefore is 121,143, being about 20,000 skins less than the total catch as appears from the statistics of the London sales and estimates of skins retained in this country.

Presumably these 20,000 skins were transshipped by American or British vessels at Yokohama, reaching London via Suez Canal. The Secretary of the Treasury reports that there is no record of any transshipments received in the United States ports, except as regards 6,760 skins which arrived in the port of San Francisco and appear in our official returns herewith transmitted. These skins were presumably taken off the Japanese and Russian coasts. All of the skins of which the sex is indicated in the accompanying statement were carefully examined by an inspector at the time of their entry.

I have the honor to request the following official information from your Government as to the pelagic catch of fur seals for the years 1893 and 1894:

1. The total number of seals taken by British vessels in the North Pacific Ocean and Bering Sea, both on the Asiatic and American sides.

2. The total number of skins landed at British ports by said vessels.

3. The total number transshipped in Japanese or Russian ports, including any that may have been ultimately entered at Victoria.

4. The total number of skins landed as entered at Victoria by American vessels.

5. A report as to the sex of all skins taken in Bering Sea and the North Pacific Ocean.

6. Location of the place of catch by latitude and longitude.

7. The names of all vessels employed, tonnage, number of the crew, and number of seal hunters, indicating whether whites or Indians.

I have the honor to further request that your Government inform me whether the pelagic skins taken by its vessels were examined as to sex by expert inspectors, as was done in the case of skins entered in United States ports.

I have, etc., W. Q. GRESHAM.

Summary of pelagic seal catches for 1893 and 1894, based on the official returns from ports of entry.

Year.	Nationality.	British Columbia and Northwest coasts.	Bering Sea.	Japan coast.	Russian coast.	Locality undetermined.	Total.	Grand total.
1893..	American	....	(Modus vivendi in operation.)	....	....	8,432	8,342	....
	Canadian	28,613		29,173	11,955	....	69,741	*78,083
1894..	American	12,398	5,160	1,500	201	6,836	†26,095	....
	Canadian	11,703	26,425	49,483	7,437	....	95,048	†121,143
	Total ...	24,101	31,585	50,983	7,638	6,836	....	....

* Notes concerning catch for 1893. † Notes concerning catch for 1894.

The United States consul at Victoria states (Consular Reports No. 161, p. 279) that American schooners in 1893 transshipped at Yokohama and Hakodadi between 17,000 and 18,000 skins. These skins, added to those which in all probability were transshipped by British Columbia vessels on the Asiatic coast, and including the estimated number retained in America for treatment, would swell the total catch to about 109,000. The accuracy of these figures is corroborated by the fact that the trade sales of London (all seal skins are sold there) account for the disposition of 109,669 skins in 1893.

The catch of 6,836, noted in column headed "Locality undetermined," were skins, 76 of which were landed at Astoria without statement as to place of capture; 641 were transshipped at Unalaska, and the remaining 619 were transshipped from Yokohama. All were entered and recorded in American ports of entry, and they are quite certainly a mixture of Northwest coast and Japan skins.

It has been ascertained from the sales of seal skins in London that about 125,000 skins were actually sold and about 14,000 withheld for future sale in 1894. In addition thereto it is estimated that about 3,000 skins were retained in this country and elsewhere for treatment. It thus appears that about 142,000 is a figure much more closely representing the number of skins taken in 1894 than the official returns of 121,143. The balance, about 20,000 skins, was probably shipped to London via Suez Canal from the Asiatic Coast.

Number of schooners reported as having taken skins.

Year.	American.	Canadian.	Total.
1893	28	*56	84
1894	35	*60	95

*Indian canoe catch counted as one vessel. In destructive effects the canoe catch is about equal to three average schooner catches.

Number of schooners reported as having made catches in Bering Sea.

Year.	American.	Canadian.	Total.
1893*	....	....	....
1894	10	27	37

*Modus vivendi was in operation.

No. 128.

Mr. Gresham to Sir Julian Pauncefote.

DEPARTMENT OF STATE,
Washington, January 23, 1895.

EXCELLENCY: I have the honor to inform you for communication to your Government, of the deep feeling of solicitude on the part of the President of the United States with regard to the future of the Alaskan seal herd as disclosed by the official returns of seals killed at sea during the present season in the North Pacific Ocean, filed in the respective custom-houses of the United States and British Columbia, and by reliable estimates of skins shipped to London from the Asiatic coast by way of the Suez Canal.

It would appear that there were landed in the United States and Victoria 121,143 skins, and that the total pelagic catch, as shown by the London trade sales and careful estimates of skins transshipped in Japanese and Russian ports, amounts to about 142,000, a result unprecedented in the history of pelagic sealing. It would further appear that the vessels engaged in Bering Sea, although only one-third of the total number employed in the North Pacific, in four or five weeks killed 31,585 seals, not only over 8,000 more than were killed in Bering Sea in 1891 (the last year the sea was open) but even more than the total number killed during the four months on the American side of the North Pacific this season.

This startling increase in the pelagic slaughter of both the American and Asiatic herds has convinced the President, and it is respectfully submitted can not fail to convince Her Majesty's Government, that the regulations enacted by the Paris Tribunal have not operated to protect the seal herd from that destruction which they were designed to prevent, and that, unless a speedy change in the regulations be brought about, extermination of the herd must follow. Such a deplorable result should if possible be averted.

The experience of the past year under the regulations has demonstrated that not alone are the United States and Great Britain deeply interested in the preservation of the seal herd; Russia and Japan have interests commercially almost as important. Any new system of regulations of necessity should embrace the whole North Pacific Ocean from the Asiatic side to the American side, and should be binding upon the citizens and subjects alike of all of these countries.

In order to add to our scientific knowledge upon this question as to the habits of the seal, its feeding grounds, and the effect of pelagic sealing upon the herd, and other similar questions, the President deems it advisable to suggest to Her Majesty's Government, and to the Governments of Russia and Japan, that a commission be appointed, consisting of one or more men from each country, eminent for scientific knowledge and practical acquaintance with the fur trade. This commission should visit the Asiatic side of the North Pacific as well as the American, and also the islands which the seals frequent, and report to their respective Governments as to the effects of pelagic sealing on the herd and the proper measures needed to regulate such sealing so as to protect the herd from destruction and permit it to increase in such numbers as to permanently furnish an annual supply of skins.

I am directed by the President to propose for the consideration of your Government, and the Governments of Russia and Japan, the appointment of such a commission, and I am further directed to suggest that during its deliberations the respective Governments agree upon a modus vivendi, as follows:

> That the regulations now in force be extended along the line of the thirty-fifth degree of north latitude from the American to the Asiatic shore, and be enforced during the coming season in the whole of the Pacific Ocean and waters north of that line. Furthermore, that sealing in Bering Sea be absolutely prohibited pending the report of such commission.

Inasmuch as the sealing season will shortly commence, and the fleet will leave the western coast for the sealing grounds, I beg to suggest the necessity of speedy action in regard to this proposition.

I have, etc.,

W. Q. GRESHAM.

No. 129.

Mr. Foster to Mr. Gresham.

AGENCY OF THE UNITED STATES,
Paris, August 17, 1893.

SIR: In fulfillment of what I regard as my duty before terminating my services as agent, to wit, to place my Government in possession of all information I have acquired which may be useful in future negotiations or action connected with the fur-seal arbitration, I direct attention to the subject of the British claims for damages on account of the seizure of certain vessels in Bering Sea in 1886, 1887, and 1889.

It will be seen from the decision of the tribunal that a finding of facts, agreed upon by counsel, was rendered in accordance with Article VIII of the treaty. This finding will be found to relate entirely to the facts of the seizures and, as agreed to by counsel, did not in any manner involve the question of liability or the value or ownership of the vessels. By reference to Protocol XXX, of May 31, it will be seen that the British Government has withdrawn all claim for damages under Article V of the modus vivendi of 1892. In further confirmation of this I inclose the statement of the British counsel before the tribunal on the subject.

In view of these facts it would seem that the only question of damages open for the consideration of the two Governments was that arising out of the seizure of vessels in Bering Sea. The claims on this account as presented by the British Government will be found in the Schedule of Claims annexed to and bound with the British Case, and on page 315 of the British Counter Case.

The defense of the United States, so far as it was thought necessary to make one under Article VIII of the treaty, will be found in the United States Counter Case, pages 129 to 135, and the evidence there cited, contained in the appendix thereto, as also in the printed United States Argument, pages 215 to 227.

The total amount of the British claim, as presented at page 60 of the Schedule of Claims, is $439,171, of which $357,353 consist of a claim for prospective earnings, which I suggest can not be properly asserted, for the reasons set forth in the United States Argument.

It will appear from an examination of the evidence in the Case and Counter Case of the United States that most of the vessels appear in reality to be the property of American citizens. Further and more searching investigation may show that others of the vessels were the property of our citizens. In this connection, I refer to a correspondence at Paris had by me with the British agent in reference to the citizenship of Boscowitz, owner or mortgagee of several of these vessels.

I also inclose a memorandum in regard to the value of several of the seized vessels, which may be of service in the further examination of these claims.

Mr. Robert Lansing, associate counsel in the arbitration, made a visit in 1892 to Victoria and San Francisco for the purpose of collecting evidence in relation to this branch of the case, and I have no doubt he would cheerfully go to Washington at any time, if you or the person having charge of the Government's interests in this matter should think it desirable to confer with him.

I am, etc., JOHN W. FOSTER.

[Inclosure 1 in No. 129.—Extract from British report of proceedings of Tribunal of Arbitration, May 31, 1893, pp. 1197-1198.]

Sir CHARLES RUSSELL: * * * I wish to relieve, and am glad to relieve, the tribunal of one question at all events, and that is the question of damages under Article V of the modus vivendi of 1892, which is also remitted to this tribunal. This, sir, will not need any troublesome reference, because it is an admission I am going to make. At page 216 of the printed argument of the United States (you need not, sir, trouble to refer to it, if I may be permitted to say so, because it is not a point of difference between us—it is a matter I am clearing out of the way) the United States give up any claim to damages under that treaty; and I have to say, on the part of Great Britain, and speaking with authority in the matter, that although they had under the earlier modus vivendi to pay a very large sum for damages to their Canadian sealers—a sum, I think, exceeding $100,000—looking to the fact, nevertheless, that under the modus vivendi in question a great many, at least, if not all of the sealers who would have resorted to the eastern part of Bering Sea had made catches of seals in other parts of the ocean, and although I think it might be argued that this tribunal is required by Article V to give damages on the basis of a limited catch or catches which might have been taken in Bering Sea—in all the circumstances of the case Great Britain does not desire to press that view upon the tribunal, and, therefore, will ask for no finding for damages upon and under that fifth article of the modus vivendi; but it probably will be convenient in the award which the arbitrators may think proper to make, to state upon its face that both the United States and Great Britain have abandoned any claim for damages under that head.

The PRESIDENT. You are agreed also as to that, Mr. Phelps?

Mr. PHELPS. Yes.

[Inclosure 2 in No. 129.]

Mr. Tupper to Mr. Foster.

PARIS, *May 26, 1893.*

DEAR MR. FOSTER: Referring to the suggestion advanced on page 130 of the United States counter case, that some of the vessels for the seizure of which damages were claimed by Her Majesty's Government were owned by citizens of the United States, and to the promise made to the tribunal by the Attorney-General on the 11th of May, that, if possible, the arbitrators should not be troubled with the consideration of the subject, I now write to inquire whether we can agree upon the facts in dispute in order that the Attorney-General's suggestion should be made effective.

As regards Mr. Franks, I have not yet complete evidence. As regards Mr. Boscowitz, this gentleman denies that he is the owner of the vessels, and further denies that he is an American citizen. And, as at present advised, I shall have to ask the tribunal so to hold, unless, of course, it is possible, as I hope it may be, for me to come to an arrangement with you upon this matter.

Your suggestion being first made in your counter case, it was not possible to produce in court evidence on the point in the ordinary way; but Mr. Boscowitz happens at the present moment to be in Paris, and I would suggest that a fair way of eliciting the actual facts would be that we should examine and that you should cross-examine Mr. Boscowitz in the presence of a shorthand writer. His evidence might then be laid before the arbitrators as material for a decision, if this should be thought necessary by either side.

Yours, very truly, CHARLES H. TUPPER.

Mr. Foster to Mr. Tupper.

AGENCY OF THE UNITED STATES,
Paris, May 27, 1893.

DEAR MR. TUPPER: I have the honor to acknowledge the receipt of your communication of the 26th instant, in which you inform me that a Mr. Boscowitz "happens at the present moment to be in Paris," and, in view of certain proofs adduced in behalf of the United States respecting him, you suggest that he be examined and cross-examined here for the purpose of submitting his evidence to the arbitrators as material for a decision on their part.

An examination of the treaty under which the pending arbitration is constituted must satisfy you that I have no power or authority to accede to your request. The manner in which evidence is to be submitted to the arbitrators is precisely fixed by the terms of the treaty, and no opportunity or method for such submission is therein afforded to either party, except through its respective case and counter case.

Besides, it would hardly seem reasonable to allow one party, after the case, counter case, and printed argument had been submitted, and while the oral argument was in progress and near its close, to examine an important witness on its behalf, when the witnesses of the other party, whose testimony might be material to refute his statements, were 6,000 miles away, and who could not be reached in time to submit their testimony to the tribunal.

Referring to your inquiry as to whether we can agree upon the facts in dispute in order that the suggestion of Sir Charles Russell might be made effective, I have pleasure in saying that I am prepared to concur with you in any statement of facts proper to be considered by the tribunal and warranted by the evidence now legitimately before that body.

In closing I beg to remind you that "the suggestion * * * that some of the vessels for the seizure of which damages were claimed by Her Majesty's Government were owned by citizens of the United States" was not for the first time advanced by the United States in its counter case, as will be seen by references to the case of the United States, App., Vol. II, p. 505.

I am, etc., JOHN W. FOSTER.

[Inclosure 3 in No. 36.]

Memoranda as to ownership and value of vessels for which damages are claimed by the British Government, with accompanying envelope.

Carolena (p. 1 of Schedule to Claims, British case).—Was owned by A. J. Bechtel, American citizen (United States Argument, p. 219). Upon the question of American ownership of vessels, see, generally, United States case, Vol. II, p. 497. Mortgaged to A. J. Bechtel for $1,000 (U. S. C. C., p. 261).

British Government claims $125 per ton for this vessel (Schedule of Claims, p. 1).

That this is excessive, see United States Counter Case, pp. 247 and 248, where it appears that the *Marvin*, a fine boat, sold in 1892 for $58 per ton. A survey in 1885 shows her value to have been $3,000. (See report on survey on *Carolena*, envelope A.

As to value of sealing vessels and equipments, generally, see, report of United States Special Agent Henry, United States Counter Case, p. 245.

Thornton (p. 6).—Owned one-half by Boscowitz, American (United States Argument (p. 218), and in addition to references there given see also United States Counter Case, p. 314).

Value: British Government alleges 78 tons burden and value of $6,000, or $76.92 per ton. Her actual registered tonnage was 29.36 (U. S. C. C., pp. 339, 258).

NOTE.—That all calculations for value are made on net registered tonnage. See ibid., p. 350, per Turner.

Mortgaged to Boscowitz for $4,000 (U. S. C. C., p. 261). Actual value, at $76.92 per ton (which is probably excessive), $2,258.37.

Onward, (p. 10).—Maj. Wm. H. Williams says that Capt. Alexander

McLean, sealing captain of San Francisco, has stated to him that he, McLean, was part owner of this vessel. Major Williams believes that Captain McLean would be willing to make an affidavit to this effect.

Value: Alleged tonnage, 94; value claimed, $4,000; i. e., $42.55 per ton; actual tonnage, 32.20 (U. S. C. C., p. 339); actual value, at $42.55 per ton, $1,497.76.

W. P. Sayward (p. 17).—Owned by Boscowitz (see mem. for Thornton). Mortgaged in 1887 to Boscowitz for $2,500 (U. S. C. C., p. 261).

Grace (p. 20).—Owned by Boscowitz (see mem. for Thornton). Mortgaged to Boscowitz in 1886 for $6,000 (U. S. C. C., p. 261).

Value: Alleged tonnage, 182; alleged value, $12,000; i. e., value per ton, $65.93; actual tonnage, 76.87; actual value (at $65.93 per ton), $5,068.03 (U. S. C. C., p. 339); appraised value, $10,404 (U. S. C. C., p. 339); amount realized at sale, $1,525 (U. S. C. C., p. 339). The *Grace* was a steamer (U. S. C. C., p. 258). That the appraised value was considered too high at the time, see Senate Ex. Doc. No. 106, Fiftieth Congress, second session, p. 72. That no steps were taken by owners of *Grace*, *Anna Beck*, *Dolphin*, or *Ada*, to obtain their release, see ibid., p. 80.

Anna Beck (p. 24).—Owned by Boscowitz (see mem. for Thornton). Mortgaged in 1886 to Boscowitz for $6,000.(U. S. C. C., p. 261).

Value: Appraised value, $2,600; sold for $907; value claimed, $8,000 (U. S. C. C., p. 339); registered tonnage (U. S. C. C., p. 258), 40.38.

(In confirmation of the actual tonnage given by the United States, and hereinafter mentioned, of *Grace*, *Anna Beck*, *Dolphin*, and *Ada*, see Senate Ex. Doc. No. 106, Fiftieth Congress, second session, p. 72, where it is stated from a wholly independent source that the total tonnage of these four vessels is 249; this tallies closely with that now alleged by the United States.)

As to appraised value, see under *Grace*. Her appraised value was accepted by owner for purposes of bonding (Senate Ex. Doc. No. 106, Fiftieth Congress, second session, p. 76). She was built in 1865 (see certificate of enrollment). Now called the *James G. Swan* (envelope A).

Dolphin (p. 28).—Owned by Boscowitz (see mem. for Thornton).

Value: Mortgaged in 1886 to Boscowitz for $6,000 (U. S. C. C., p. 261); alleged tonnage, 174 tons; alleged value, $12,000; i. e., $68.96 per ton; actual tonnage, 60.10; actual value, at $68.96 per ton, $4,144.49 (U. S. C. C., p. 339); a steamer (U. S. C. C., p. 258); appraised value, $7,750 (U. S. C. C., p. 339); sold for $1,225 (ibid). (See remarks under *Grace* as to appraised value.)

Alfred Adams (p. 32).—Owned by A. Frank, American (United States) Argument, p. 219.)

Ada (p. 34).—Value: Tonnage alleged, 68; value alleged, $7,000, i. e., $103 per ton. This valuation is excessive (see value of *Marvin*, U. S. C. C., pp. 248 and 257.) Actual tonnage, 56.95 (U. S. C. C., p. 339); appraised value, $2,900; sold for $1,900 (U. S. C. C., p. 339).

(See remarks under *Grace* as to appraised value.)

That her appraisement was generally accepted, see Senate Ex. Doc. No. 106, Fiftieth Congress, second session, p. 78. Became in 1888 the *James Hamilton Lewis*; was seized by Russia for raiding Copper Island in 1891.

Lily (p. 50).—Owned by A. Frank, American (United States Argument, p. 219).

Black Diamond (p. 48).—Owned by A. Frank, American (United States Argument, p. 219).

Pathfinder (pp. 40 and 57).—Owned by A. J. Bechtel, American (United States Argument, p. 219).

CORRESPONDENCE

OF THE

TREASURY DEPARTMENT.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., February 11, 1895.

To the PRESIDENT:

Referring to the Senate resolution of January 8, 1895, calling for all reports, documents, and other papers, including logs of vessels, relating to the enforcement of the regulations respecting fur seals adopted by the Governments of the United States and Great Britain, in accordance with the decision of the Tribunal of Arbitration convened at Paris, and the resolutions (regulations?) under which said reports are required to be made, as well as relating to the number of seals taken during the season of 1894 by pelagic hunters and by the lessees of the Pribilof and Commander islands, I have the honor to transmit herewith a statement taken from the logs of vessels showing the latitude and longitude in which fur seals were taken in Bering Sea. It will be noticed that only 10 of the 32 American vessels engaged in fur-seal fishing have made returns as to latitude and longitude. The collector of customs at San Francisco reports that the captains of the other vessels deposed under oath that they cleared without notice of the regulations, and therefore made no record of the places of capture.

I have further to state that during the season of 1894 about 142,000 seals were killed by pelagic hunters in the North Pacific Ocean, including Bering Sea. Of this number about 60,000 were taken either in Bering Sea or on the American side of the North Pacific Ocean; 15,033 seals were taken on the Pribilof Islands by the North American Commercial Company, lessees under a contract with this Government, dated March 12, 1890. This Department has no official statistics of the catch on the Commander Islands, but is unofficially informed that it amounted to 27,285.

I also transmit herewith extracts from the logs of the United States Revenue-Marine steamers *Rush*, *Corwin*, and *Bear* with relation to the enforcement of the regulations respecting fur seals as determined by the Paris Tribunal of Arbitration.

The papers above referred to constitute all the reports and documents in this Department which it is deemed compatible with the public interests to transmit to Congress at this time.

I have the honor to be, very respectfully, yours,

J. G. CARLISLE, *Secretary*.

Extracts from the logs of the revenue cutters cruising in Alaskan waters during the season of 1894.]

STEAMER RUSH.

July 31.—At 5.30 a. m. boarded British schooner *Labrador*, * * * on sealing trip. Licensed to seal after July 31. Noon position of *Rush*, Analga Pass.

August 9.—At 9.30 a. m. boarded American schooner *Ella Johnson*, on sealing voyage, properly licensed, etc. Noon position of *Rush*, Priest Rock, Unalaska Island, E. by N. ½ N. 5 miles.

STEAMER BEAR.

May 28.—At 8.50 a. m. boarded American sealing schooner *Ida Etta*, in lat. 59° 11′, long. 152° 09′.

June 6.—Between 8 p. m. and midnight boarded, off Sand Point, British schooners *Venture*, *San Jose*, and *Walter L. Rich*, all under seal, waiting for the opening of the season

June 24.—From noon to midnight, in vicinity of lat. 58° 13′, long. 177° 30′, observed 3 fur seals at two different times and several at another time.

September 19.—At southwest anchorage, St. Pauls Island, from 8 a. m. to meridian "observed numbers of fur seal on rookeries and in the water."

October 3.—In Unalaska Harbor boarded American schooner *George B. White*, sealing under license.

STEAMER CORWIN.

May 19.—At 10.45 a. m. saw 1 fur seal. Noon position of *Corwin*, lat. 52° 51′, long. 132° 25′.

May 20.—At 10.23 a. m. saw 2 fur seal. Noon position, lat. 55° 47′, long. 134° 30′.

May 21.—At 3.20 p. m., in lat. 55° 56′, long. 135° 03′, boarded sealing schooner *Ethel*, with 5 seal skins on board.

May 23.—At 1.37 p. m. saw 1 fur seal off Cape Fairweather.

May 24.—At 11.30 a. m., in lat. 59° 33′, long. 140° 47′, boarded American sealing schooner *Ida Etta*, with 126 seal skins on board.

May 27.—Between 4.45 and 5.15 a. m. saw 2 fur seal. Noon position of *Corwin*, lat. 59° 53′, long. 148° 2′.

May 30.—Between 9.20 and 11 a. m. saw 5 fur seal. Noon position, lat. 60° 4′, long. 146° 21′.

June 24.—In Humboldt Harbor, between 8 a. m. and meridian, boarded American sealing schooner *Ida Etta*, British sealing schooners *Walter S. Rich*, *Ventura*, and *San Jose*.

July 30.—In lat. 53° 14′, long. 173° 32′, at 12.34 p. m., boarded American schooner *Fluresa*, with 6 seal skins on board.

August 4.—At 11.05 a. m. saw 1 fur seal. Noon position of *Corwin*, lat. 56° 11′, long. 176° 29′.

August 5.—At 3.50 a. m. boarded British sealing schooner *Katherine*. Noon position, lat. 56° 55′, long. 171° 46′.

August 28.—At 8 a. m. boarded American sealing schooner *Rose Sparks*; at 9.10 and 9.40 a. m., respectively, boarded British sealing schooners *San Jose* and *Minnie*; at 3.05 p. m. boarded American schooner *Deeakhs*, with 333 skins and 36 bodies of seal on board, and at 4.15 p. m. boarded American sealing schooner *Therese*. Noon position, lat. 54° 40′, long. 167° 10′.

September 5.—At 8 a m. north of Unimak Pass boarded American schooner *Jane Gray* with 138 seal skins on board.

September 6.—Boarded American schooner *Columbia*, with 357 skins on board, at 4 p. m., noon position of *Corwin* being north head of Akutan Pass.

September 8.—At 2.30 p. m. boarded American schooner *Allie I. Alger* with 351 skins on board, of which 199 were those of females, and at 8 p. m. boarded American schooner *Saucy Lass* with 513 skins, one-half being from females; noon position of *Corwin*, off Cape Cheerful, Unalaska Island.

September 9.—At 2.25 a. m. boarded British schooner *Fawn* with 530 seal skins on board; noon position, Tolstoi Point, St. Georges Island, distant 14 miles.

September 13.—At 9.26 a. m. saw 6 fur seal; noon position, lat. 57° 44′, lon. 169° 08′.

Catch of United States vessels sealing in Bering Sea, 1894.

[Complete with exception of schooner *G. R. White*. Daily sealing data (position and sex of seals taken) in full on the following pages.]

Vessel.	Male.	Female.	Total.	Remarks.
Ella Johnson	322	892	1,214	Definitely ascertained.
Deeahks	156	868	1,023	Do.
Stella Erland	219	542	761	Do.
Ida Etta	204	532	736	Do.
Columbia	180	223	403	Do.
Therese	81	237	318	Do.
Allie Alger	128	199	327	Do.
Rose Sparks	37	160	197	Do.
Jane Grey	46	92	138	Do.
Louis Olsen	16	68	84	Do.
Geo. R. White	....	....	....	Not in yet.
Total (11 vessels)	1,388	3,813	5,201	

Catch of United States vessels sealing in Bering Sea, 1894—Continued.

UNITED STATES SEALING SCHOONER ELLA JOHNSON, R. H. MINER.

[Catch, 1,214—322 males, 892 females.]

Date.	Latitude.	Longitude.	Male.	Female.	Total.
	° ′	° ′			
Aug. 9	54 24	166 45	1	....	1
10	54 46	167 20	4	55	59
11	54 47	168 18	....	9	9
12	55 05	168 55	20	95	115
15	54 37	168 26	15	48	63
18	54 15	168 43	18	47	65
19	54 17	168 25	21	81	102
23	54 39	167 07	14	71	85
24	54 30	167 20	10	70	80
27	55 01	167 58	2	10	12
28	57 37	169 03	5	37	42
29	54 15	168 57	35	63	98
30	54 07	168 34	15	34	49
31	54 10	168 51	16	32	48
Sept. 1	54 09	168 33	40	63	103
2	54 29	168 39	10	45	55
5	54 29	167 42	20	11	31
7	54 52	168 54	28	40	68
8	54 49	168 54	25	30	55
9	54 07	168 56	15	30	45
13	54 52	169 03	2	4	6
15	54 41	167 57	6	17	23
Total	....	....	322	892	1,214

UNITED STATES SEALING SCHOONER DEEAHKS, JAMES CLAPLANHOY, CAPTAIN (CHIEF OF WAHAH TRIBE).

[Catch, 1,023—155 males, 868 females.]

Aug. 6	54 33	167 00	....	....	11
7	54 41	168 00	....	....	7
8	54 53	170 52	....	....	11
9	55 36	172 17	....	....	2
10	56 02	172 27	....	....	55
11	56 10	172 37	....	....	20
14	56 21	173 09	....	....	1
15	55 43	172 39	....	....	9
16	55 35	172 36	....	....	1
18	55 16	171 05	....	....	23
19	55 11	170 42	....	....	18
22	54 10	167 00	....	....	51
23	54 25	167 30	....	....	36
24	54 35	167 38	....	....	40
26	54 59	167 00	....	....	5
27	55 03	166 34	....	....	12
28	54 37	167 21	....	....	153
29	54 30	167 14	....	....	91
30	54 30	167 14	....	....	53
31	54 54	166 56	....	....	14
Sept. 1	54 25	166 47	....	....	170
2	54 34	167 18	....	....	80
7	54 35	166 57	2	2	4
8	54 43	166 49	9	21	30
9	54 34	166 51	17	34	51
10	54 34	166 51	1	4	5
12	54 43	167 33	0	1	1
13	54 42	167 16	5	7	12
14	54 35	166 45	4	13	17
15	54 35	166 45	13	27	40
Total	....	....	....	....	1,023

NOTE.—Data for sex not collected by me from August 6 to September 2, but reported from customhouse at Port Townsend as 155 males, 868 females.—C. H. T.

Catch of United States vessels sealing in Bering Sea, 1894—Continued.

UNITED STATES SEALING SCHOONER STELLA ERLAND.

[Catch, 761—219 males, 542 females.]

Date.		Latitude.		Longitude.		Male.	Female.	Total.
		°	′	°	′			
Aug.	5	54	44	167	23	7	37	44
	6	54	56	167	41	3	13	16
	8	56	04	165	59	0	6	6
	12	58	24	168	01	....	1	1
	16	58	11	172	27	....	1	1
	18	57	48	172	28	2	33	35
	22	56	30	172	35	3	21	24
	25	56	13	171	30	....	1	1
	27	54	40	168	59	1	5	6
	28	54	24	168	57	5	9	14
	29	53	47	169	35	14	32	46
	30	53	35	169	41	31	51	82
	31	53	34	169	21	23	35	58
Sept.	1	53	38	169	25	39	59	98
	2	53	47	169	40	21	29	50
	7	54	20	167	47	17	8	25
	8	54	46	166	55	32	55	87
	10	54	55	166	59	3	12	15
	12	55	09	166	55	1	....	1
	14	54	48	166	36	7	22	29
	15	54	47	166	15	10	112	122
Total		....		....		219	542	761

UNITED STATES SEALING SCHOONER IDA ETTA, 69 TONS, B. B. WHITNEY.

[Crew, 17; boats, 9; hunters, 9; catch, 736—males, 204; females, 532.]

Date.		Latitude.		Longitude.		Male.	Female.	Total.
Aug.	1	54	40	169	00	5	2	7
	2	55	06	170	46	6	8	14
	3	54	46	171	25	3	4	7
	4	54	50	171	34	12	51	63
	5	54	49	171	37	1	12	13
	6	55	33	173	48	2	6	8
	7	55	50	173	35	6	12	18
	11	58	00	173	40	....	1	1
	18	54	09	168	39	25	53	78
	19	54	15	168	10	6	17	23
	22	54	18	167	55	3	....	3
	23	54	05	168	05	8	....	8
	24	54	07	168	25	....	36	36
	26	54	15	167	27	2	....	2
	27	54	16	168	50	15	37	53
	28	54	17	168	14	6	13	19
	29	54	43	167	50	5	20	25
	30	54	45	167	49	14	59	73
	31	54	44	169	00	2	18	20
Sept.	1	54	25	169	35	35	46	81
	2	54	26	168	35	9	18	27
	7	54	24	167	25	....	1	1
	8	54	17	168	09	10	2	12
	9	54	18	168	15	8	4	12
	16	54	58	167	23	....	1	1
	17	55	11	167	39	14	14	28
	19	54	32	166	03	5	38	43
	20	54	28	165	55	4	21	25
	21	54	24	166	05	6	33	39
Total		....		....		204	532	736

Catch of United States vessels sealing in Bering Sea, 1894—Continued.

UNITED STATES SEALING SCHOONER COLUMBIA, 41 TONS, T. J. POWERS.

[Crew, 24; canoes, 10; hunters, 10; boats, 1; catch, 403—180 males, 223 females.]

Date.	Latitude.		Longitude.		Male.	Female.	Total.
	°	'	°	'			
Aug. 3	55	11	171	10	9	4	13
4	55	17	171	31	26	27	53
5	55	32	173	30	6	9	15
6	56	09	173	30	3	3	6
7	56	30	173	10	7	5	12
8	56	33	172	34	5	10	15
9	56	51	172	28	1	....	1
10	56	54	172	43	11	16	27
11	57	09	173	19	20	27	47
17	57	01	174	20	3	2	5
19	57	06	174	14	4	8	12
23	57	49	173	50	3	9	12
24	57	49	175	01	2	2	4
28	57	54	175	09	2	1	3
29	57	00	173	52	19	23	42
31	55	46	173	07	1	....	1
Sept. 1	55	25	172	55	3	6	9
2	55	23	172	24	18	25	43
3	54	58	172	26	1	3	4
5	54	28	167	57	19	14	33
9	54	19	167	53	3	5	8
10	30 m. N. of Bogoslof I.				9	15	24
13	54	25	167	30	5	9	14
Total	....		....		180	223	403

UNITED STATES SEALING SCHOONER THERESE, 70 TONS. CHAS. HARITWEN.

[Crew, 22; boats, 6; hunters, 6; catch, 318—81 males, 237 females.]

Aug. 2	56	11	175	17	....	1	1
3	56	57	174	15	....	1	1
4	57	54	174	06	1	3	4
6	58	09	173	38	1	12	13
7	58	22	173	04	1	25	26
8	58	21	173	08	....	2	2
11	58	02	171	50	2	....	2
23	55	05	166	45	1	11	12
24	54	52	166	54	....	37	37
27	54	56	166	24	....	5	5
28	54	43	166	52	20	31	51
29	54	22	166	52	13	23	36
30	54	22	166	27	10	10	20
Sept. 1	54	49	105	59	20	46	66
2	54	47	166	18	6	9	15
3	54	46	166	19	1	....	1
8	54	50	165	21	1	5	6
9	54	39	166	26	4	15	19
10	54	36	166	26	....	1	1
Total	....		....		81	237	318

UNITED STATES SEALING SCHOONER ALLIE I. ALGER, 75 TONS, WESTER.

Aug. 15	53	49	168	50	1	....	1
18	54	46	167	43	20	49	69
19	54	46	167	30	10	15	25
22	54	25	167	18	10	13	23
23	54	40	167	50	5	4	9
24	55	12	168	08	3	5	8
27	54	40	168	40	11	16	27
28	54	85	168	20	12	20	32
29	54	50	168	06	23	29	52
30	54	47	167	57	16	20	36
31	54	20	167	19	....	3	3
Sept. 1	55	12	167	36	9	14	23
2	55	13	168	08	2	2	4
5	56	05	167	55	2	4	6
7	55	39	168	14	4	5	9
Total	....		....		128	199	327

Catch of United States vessels sealing in Bering Sea, 1894—Continued.

UNITED STATES SEALING SCHOONER ROSE SPARKS, J. W. TROTT.

[Catch, 197—37 males, 160 females.]

Date.	Latitude.		Longitude.		Male.	Female.	Total.
	°	′	°	′			
Aug. 11	56	42	174	23	1	1	2
15	55	48	172	27		2	2
18	54	42	167	48	5	52	57
19	54	48	167	20	1	2	3
23	54	31	167	15	5	14	19
24	55	26	167	57	1		1
25	55	45	167	47		2	2
28	55	06	167	48	3	18	21
29	54	54	168	10	5	25	30
30	54	48	168	20	5	17	22
31	54	54	167	30	2	2	4
Sept. 1	54	42	167	34	6	20	26
2	54	42	167	25	1	1	2
5	54	31	165	45	1	2	3
6	54	28	165	35	1	2	3
Total					37	160	197

UNITED STATES SEALING SCHOONER JANE GREY, 107 TONS.

Date.	Latitude.		Longitude.		Male.	Female.	Total.
Aug. 13	55	20	172	28	1	4	5
15	56	01	175	00		1	1
17	55	56	172	34	1	3	4
18	55	52	173	06	2	8	10
22	54	59	170	32	2	7	9
26	54	28	168	18	1	7	8
27	54	28	168	45	13	17	30
28	54	36	168	24	7	9	16
29	54	32	168	16	5	8	13
30	54	20	167	45	4	7	11
31	54	56	167	32	1		1
Sept. 1	55	30	167	12	2	8	10
2	55	02	165	55	7	13	20
Total					46	92	138

UNITED STATES SEALING SCHOONER LOUIS OLSEN.

[Catch, 84—16 males, 68 females.]

Date.	Latitude.		Longitude.		Male.	Female.	Total.
Aug. 4	57	50	173	56	4	8	12
6	58	30	173	56	4	15	19
7	58	30	173	56	4	30	34
10	58	27	172	46	1	3	4
11	57	42	172	52	3	10	13
18	56	05	172	17	2		2
Total					16	68	84

CORRESPONDENCE

OF THE

NAVY DEPARTMENT.

NAVY DEPARTMENT,
Washington, February 7, 1895.

SIR: Referring to the resolution of the Senate, dated January 8, 1895, requesting you, if not incompatible with the public interests, to communicate to that body all reports, documents, and other papers, including the logs of the vessels which assisted, during the past season, in the enforcement of the concurrent regulations agreed upon between the United States and Great Britain for the preservation of fur seal, in accordance with the provisions of the Bering Sea award, I have to state that copies of the documents in question, with the exception of the log books, are transmitted herewith.

The number of pages of log books to be copied is 2,666. The log books of the *Concord*, *Alert*, and *Adams* are now in the Department, but the complete logs of the *Mohican*, now in Puget Sound, and of the *Yorktown* and *Petrel*, now on the Asiatic Station, have not yet been received, and can not probably be obtained under two months. The logs of the revenue cutters and of the Fish Commission steamer are never sent to this Department. In view of these facts it will be impracticable to furnish copies of the log books in question during the session of the present Congress.

All matters of interest connected with a ship's duties are recorded in the log books on the pages marked, "Record of the miscellaneous events of the day," and the substance of these records is included in the inclosed reports submitted by the commanding officers of the different ships. The cruising of the vessels, that is, the ground covered by each, is shown upon the accompanying track charts, (Exhibit C).

It is believed that, with the exception of the matter the substance of which appears as above stated in the reports herewith sent, there is nothing whatever in the log books that could interest Congress, the remaining matter on the other pages being only the record of the hourly speed of each ship, courses steered, direction and force of the wind, barometer, temperature of air and water, state of weather, forms of clouds, proportions of clear sky, state of sea, sail carried, etc.

I have the honor to ask whether copies of all the pages of the log books shall be prepared in accordance with the provisions of the resolution of the Senate.

Very respectfully, H. A. HERBERT, *Secretary.*

The PRESIDENT.

NAVY DEPARTMENT,
Washington, D. C., April 9, 1894.

SIR: I have the honor to transmit herewith an order for the temporary transfer to the Navy Department of such United States revenue cutters cruising on the Pacific coast of the United States as may be available for duty in connection with the United States naval force in Bering Sea during the coming season, and to request that this order, or a similar one, may be issued.

These services of these vessels are urgently needed for duty in connection with the squadron detailed to patrol the prohibited waters of Bering Sea.

I am, sir, with great respect, your obedient servant,

H. A. HERBERT,
Secretary of the Navy.

The PRESIDENT.

EXECUTIVE MANSION,
April 9, 1894.

The services of the revenue cutters now cruising on the Pacific coast being required by the Government for temporary duty in connection with the United States naval forces in Bering Sea during the coming season, please direct the commanding officers of such of these vessels as may be available for this service to report by telegram to the honorable Secretary of the Navy for such duty as he may assign them.

GROVER CLEVELAND.

The SECRETARY OF THE TREASURY.

NAVY DEPARTMENT,
Washington, D. C., April 9, 1894.

SIR: I have the honor to transmit herewith an order for the temporary transfer of the United States Fish Commission steamer *Albatross* from the Fish Commission to the Navy Department, with a request that this order or a similar one may be issued.

The services of the *Albatross* are urgently needed for duty in connection with the patrol fleet in Bering Sea during the coming season.

Very respectfully,

H. A. HERBERT,
Secretary of the Navy.

The PRESIDENT.

EXECUTIVE MANSION,
April 9, 1894.

SIR: The services of the United States Fish Commission steamer *Albatross* being required by the Government for temporary duty in connection with the naval forces in Bering Sea, during the coming season, you will direct the commanding officer of that vessel to report, by telegram, to the honorable Secretary of the Navy, for such duty as he may assign him.

GROVER CLEVELAND.

The COMMISSIONER OF FISH AND FISHERIES.

NAVY DEPARTMENT,
Washington, April 10, 1894.

SIR: I have the honor to request that you will direct the collector of customs at Port Townsend, Wash., to consult with the senior naval officer present at Port Townsend from this time until the departure of the naval fleet for Bering Sea, and to give to that officer all the information he may be able to obtain concerning the sealing fleet in Bering Sea during the coming season, particularly with reference to the rendezvous of the sealers for the purpose of transshipping their seal skins.

I have the honor to be, sir, very respectfully,

H. A. HERBERT,
Secretary of the Navy.

The SECRETARY OF THE TREASURY.

NAVY DEPARTMENT,
Washington, April 10, 1894.

SIR: I have the honor to request that you will furnish this Department with lists of American and British vessels which have cleared from various ports during the present season for Bering Sea, and also that you will direct the United States consul at Victoria to transmit to the senior naval officer present at Port Townsend, Wash., from this time until the departure of the naval fleet for Bering Sea, all information the consul may be able to obtain concerning the sealing fleet in Bering Sea during the coming season, particularly with reference to the rendezvous of the sealers for the purposes of transshipping their seal skins.

I have the honor to be, sir, very respectfully,

H. A. HERBERT,
Secretary of the Navy.

The SECRETARY OF STATE.

NAVY DEPARTMENT, BUREAU OF NAVIGATION,
Washington, D. C., April 11, 1894.

SIR: Please place yourself in communication with the commanding officer of the ships detailed for service in Bering Sea, and the senior naval officer that may be at Port Townsend, Wash., and keep them informed of the movements of all sealers that may enter or clear from the port of Port Townsend, Wash.

Furnish them with all information you may be able to obtain that will be useful to the conduct of the Bering Sea squadron.

Very respectfully,

F. M. RAMSAY,
Chief of Bureau.

Lieut. H. T. MAYO, U. S. N.,
Charge Branch Hydrographic Office, Port Townsend, Wash.

NAVY DEPARTMENT, BUREAU OF NAVIGATION,
Washington, D. C., April 11, 1894.

SIR: Please place yourself in communication with the commanding officer of the ships detailed for service in Bering Sea, and the senior naval officer that may be at Port Townsend, Wash., and keep them informed of the movements of all sealers that may enter or clear from the port of San Francisco or vicinity.

Furnish them with all information you may be able to obtain that will be useful to the conduct of the Bering Sea squadron.

Very respectfully,

F. M. RAMSAY,
Chief of Bureau.

Lieut. J. C. BURNETT, U. S. N.,
Charge Branch Hydrographic Office, San Francisco, Cal.

NAVY DEPARTMENT, BUREAU OF NAVIGATION,
Washington, D. C., April 11, 1894.

SIR: Please place yourself in communication with the commanding officer of the ships detailed for service in Bering Sea and the senior naval officer that may be at Port Townsend, Wash., and keep them informed of the movements of all sealers that may enter or clear from the port of Portland, Oreg.

Furnish them with all information you may be able to obtain that will be useful to the conduct of the Bering Sea squadron.

Very respectfully,

F. M. RAMSAY,
Chief of Bureau.

Lieut. C. G. CALKINS, U. S. N.,
Charge Branch Hydrographic Office, Portland, Oreg.

TREASURY DEPARTMENT, *April 13, 1894.*

SIR: I have the honor to transmit herewith copies of a letter, dated the 29th ultimo, from Capt. C. L. Hooper, United States Revenue-Cutter Service, and its inclosure, in which the request is made that certain vessels named therein, which are expected to rendezvous at Nutchuck or Port Etches, be furnished with information regarding the law relating to pelagic sealing, also a copy of Department letter of February 2, 1894, giving the names of certain persons who have been authorized to occupy islands in Alaskan waters during the year 1894 for the propagation of foxes.

Respectfully, yours,

W. E. CURTIS,
Acting Secretary.

The SECRETARY OF THE NAVY.

[Inclosure.]

UNITED STATES REVENUE STEAMER RUSH,
Port of San Francisco, March 29, 1894.

SIR: I have the honor to transmit herewith, a communication from M. L. Washburn, asking that certain schooners now sealing in the North Pacific Ocean, and which will rendezvous at Port Etches about the last of April, be notified of any change in the law or regulations in relation to pelagic sealing.

Very respectfully,

C. L. HOOPER,
Captain, Revenue-Cutter Service.

Hon. SECRETARY OF THE TREASURY,
Washington, D. C.

[Inclosure.]

SAN FRANCISCO, CAL., *March 26, 1894.*

SIR: Before leaving Alaska last fall the captains of the following vessels engaged in hunting fur seal in the North Pacific, viz: schooners *Nellie Martin*, *Ethel*, *Lydia*, and *Three Brothers*, requested that they be notified at Port Etches as soon as any definite orders were issued in the matter of time, flags to be carried, and such other information as would allow them to keep within the strict intention of the law in regard to hunting fur seal in the North Pacific.

As I understand, that as yet no definite instructions have been published.

These vessels will all call at Nutchuck or Port Etches about the last of April for instructions, and I would request you to give me information in the matter, or refer it to the Department.

These men are all anxious and willing to keep their vessels out of any infringement of the law, and as Port Etches is nearly on the direct route from Sitka to Kadiak, where revenue cutters generally call on their way to Bering Sea, could such arrangements be made for some cutter to call at Port Etches on her way west and notify such vessels as should be there?

Respectfully,

M. L. WASHBURN.

Capt. C. L. HOOPER,
United States Revenue Marine.

[Inclosure.]

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., February 2, 1894.

SIR: For your information it is stated that under the authority contained in the act of Congress approved March 3, 1879, entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1880, and for other purposes," the Department has authorized the persons hereinafter named to occupy the islands in Alaskan waters, specified in each instance, for the propagation of foxes during the year 1894, said privilege being given in consideration of a rental of $100 per annum, which has been paid for the purpose stated. You will please give this information to the officers of the revenue cutters cruising in Alaskan waters: W. B. Taylor, island of North Semidi, Alaska; Thomas B. Morgan, island of Marmot, Alaska; James C. Redpath, island of Ukomak, Alaska; Byron Andrews, island of South Semidi, Alaska; F. F. Feeney, island of Long Island, Alaska.

Respectfully, yours,

C. S. HAMLIN,
Assistant Secretary.

CHIEF OF THE DIVISION OF REVENUE MARINE,
Treasury Department.

DEPARTMENT OF STATE,
Washington, April 13, 1894.

SIR: I have the honor to acknowledge the receipt of your letter of the 10th instant requesting information in regard to the vessels of the sealing fleet which have cleared from various ports for Bering Sea. The only list of these vessels which the Department has is contained in dispatches Nos. 263, 268, and 270, from the consul at Victoria, copies of which have been sent to you. Since the latter dispatch, No. 270, of February 15 last, no further clearances for the North Pacific have been reported. In dispatch No. 275, of the 26th ultimo, a copy of which is herewith inclosed for your consideration, the consul at Victoria reports the views of the sealers in regard to the regulations in force at that time and their intention to enter Bering Sea after May 1 next. Instructions have this day been issued in accordance with your request to the consul at Victoria to transmit to the senior naval officer present at Port Townsend, until the departure of the naval fleet for Bering Sea, all information which he can obtain concerning the sealing vessels and their place of meeting for the purpose of transshipping seal skins.

I have the honor to be, sir, your obedient servant,

EDWIN F. UHL,
Acting Secretary.

The SECRETARY OF THE NAVY.

[Inclosure.]

No. 275.] CONSULATE OF THE UNITED STATES,
Victoria, British Columbia, March 26, 1894.

SIR: The situation here as to seal taking, this year, by the British fleet, is not essentially different from that of last year at the corresponding date. That is, among the sealers, there is the disposition to take the largest liberties possible, and to make the most of the uncertainty in the matter of regulations, which they claim exists. Their proposition is this:

They claim that the modus vivendi is now in force and will be until May 1.

When it expires, on that date, the Paris regulations will not take its place, unless they are formally enacted by Great Britain and the United States, prior to that date, and that if the Governments do not so enact, then the practice of sealing will be put back where it was before the modus vivendi was agreed to. In other words, there will be no restrictions on the business in Bering Sea or elsewhere, outside of the usual shore limits. They further say their Government understands the matter as they do and that they will proceed accordingly.

Members of the sealing fleet say their vessels, on this side of the Pacific, at least, are expected to enter Bering Sea at any time after May 1, and that there is an understanding among owners and masters to this effect. Once in the sea they do not anticipate serious interference on the part of British cruisers. If ordered out by American cruisers they will obey and claim damages. It is understood among them, also, that many of the vessels now on the Japan coast will return to Bering Sea after May 1, provided sealing is not satisfactory on the Japan side.

Capt. J. G. Cox, president of the Victoria Sealers' Association, is still in Japan giving directions to the fleet in that quarter.

I am, sir, your obedient servant,

LEVI W. MYERS, *Consul.*

Hon. EDWIN F. UHL,
Assistant Secretary of State, Washington, D. C.

NAVY DEPARTMENT,
Washington, D. C., April 13, 1894.

SIR: You are hereby detailed to command a force of naval vessels and revenue cutters for service in and about Bering Sea, to carry out the provisions of "an act to give effect to the award rendered by the Tribunal of Arbitration, at Paris, under the treaty between the United States and Great Britain, concluded at Washington, February twenty-ninth, eighteen hundred and ninety-two, for the purpose of submitting to arbitration certain questions concerning the preservation of fur seals."

The squadron under your command will be composed of the U. S. ships *Mohican*, *Bennington*, *Alert*, *Ranger*, *Yorktown*, *Adams*, *Concord*, and *Petrel*, the revenue cutters *Corwin*, *Rush*, and *Bear*, and the Fish Commission steamer *Albatross*.

The *Bennington*, *Adams*, *Ranger*, and *Alert* will report to you at Port Townsend about May 1, next.

The *Yorktown*, at present at Seattle, will report to you by letter.

The *Concord* and *Petrel* will be ordered to report to you at Unalaska about June 1, next.

The revenue cutter *Corwin*, now at San Francisco, will be instructed to report to you at Port Townsend about the 25th instant. The *Corwin* is commanded by Capt. F. M. Munger, United States Revenue Marine.

The revenue steamer *Rush*, now undergoing repairs at San Francisco, will be ready to sail about June 1. The commanding officer of that vessel, Capt. C. L. Hooper, United States Revenue Marine, will be directed to report to you as soon as she is ready for service.

The revenue cutter *Bear*, Capt. M. A. Healy, commanding, will report to you at Unalaska about September 1, next.

The Fish Commission steamer *Albatross*, now at San Francisco, will report to you at Port Townsend about May 1.

Detailed instructions will be sent to you as soon as practicable.

Very respectfully,

H. A. HERBERT,
Secretary of the Navy.

Commander CHARLES E. CLARK, U. S. N.,
Commanding U. S. Naval Force in Bering Sea,
U. S. S. Mohican, Port Townsend, Wash.

NAVY DEPARTMENT,
Washington, D. C., April 13, 1894.

SIR: Upon the arrival of the vessel under your command at Port Townsend, Wash., report to Commander C. E. Clark, United States Navy, commanding officer of the U. S. S. *Mohican*, for such duty in connection with the Bering Sea squadron as he may assign you.

Very respectfully,

H. A. HERBERT,
Secretary of the Navy.

COMMANDING OFFICER U. S. S. BENNINGTON,
Mare Island, Cal.

NAVY DEPARTMENT,
Washington, D. C., April 13, 1894.

SIR: Upon the arrival of the vessel under your command at Port Townsend, Wash., report to Commander C. E. Clark, United States Navy, commanding officer of the U. S. S. *Mohican*, for such duty in connection with the Bering Sea squadron as he may assign you.

Very respectfully,

H. A. HERBERT,
Secretary of the Navy.

COMMANDING OFFICER U. S. S. ALERT,
Mare Island, Cal.

NAVY DEPARTMENT,
Washington, D. C., April 13, 1894.

SIR: Upon the arrival of the vessel under your command at Port Townsend, Wash., report to Commander C. E. Clark, United States Navy, commanding officer of the U. S. S. *Mohican*, for such duty in connection with the Bering Sea squadron as he may assign you.

Very respectfully,

H. A. HERBERT,
Secretary of the Navy.

COMMANDING OFFICER U. S. S. ADAMS,
Port Townsend, Wash.

NAVY DEPARTMENT,
Washington, D. C., April 13, 1894.

SIR: Upon the arrival of the vessel under your command at Port Townsend, Wash., report to Commander C. E. Clark, United States Navy, commanding officer of the U. S. S. *Mohican*, for such duty in connection with the Bering Sea squadron as he may assign you.

Very respectfully,

H. A. HERBERT,
Secretary of the Navy.

COMMANDING OFFICER U. S. S. RANGER,
Mare Island, Cal.

NAVY DEPARTMENT,
Washington, D. C., April 13, 1894.

SIR: Report by letter to Commander Charles E. Clark, United States Navy, commanding U. S. S. *Mohican*, at Port Townsend, Wash., for such duty as he may assign you in connection with the Bering Sea squadron.

Very respectfully,

H. A. HERBERT,
Secretary of the Navy.

COMMANDING OFFICER U. S. S. YORKTOWN,
Seattle, Wash.

[Telegram.]

APRIL 13, 1894.

When *Albatross* is ready for service, proceed with her to Port Townsend, Wash.; report to Commander Clark, commanding steamer *Mohican*, for duty with Bering Sea squadron.

HERBERT,
Secretary of the Navy.

COMMANDING OFFICER ALBATROSS,
(Through commandant), *Mare Island, Cal.*

[Telegram.]

APRIL 13, 1894.

When *Corwin* is ready for service, proceed with her to Port Townsend, Wash.; report to Commander Clark, commanding steamer *Mohican*, for duty with Bering Sea squadron.

HERBERT, *Secretary Navy.*

Captain MUNGER,
Commanding Revenue Cutter Corwin, San Francisco, Cal.

NAVY DEPARTMENT, BUREAU OF NAVIGATION,
April 13, 1894.

SIR: Referring to the Department's order of this date, assigning you to the command of the United States naval force in Bering Sea during the coming season, you are authorized to permit the vessels which have been directed to report to you at Port Townsend to visit such ports in Puget Sound as you may deem advisable.

Very respectfully,

F. M. RAMSAY,
Chief of Bureau.

Commander CHARLES E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea,
U. S. S. Mohican, Port Townsend, Wash.

NAVY DEPARTMENT, BUREAU OF NAVIGATION,
April 14, 1894.

SIR: Referring to your letter of the 12th instant to the Honorable Secretary of the Navy, I have to inform you that the commanding officer of the United States naval force in Bering Sea will be requested to afford the commanding officer of the *Albatross* such opportunity for pursuing the study of the life history and migrations of the fur seals frequenting the waters of Bering Sea as the exigencies of the service which require that vessel for patrol duty will permit.

Very respectfully,

F. M. RAMSAY,
Chief of Bureau.

The COMMISSIONER OF FISH AND FISHERIES,
Washington, D. C.

NAVY DEPARTMENT,
Washington, D. C., April 14, 1894.

SIR: I have the honor to acknowledge the receipt of your letter of the 12th instant, stating that, in accordance with the directions of the President, the commanding officers of such of the revenue cutters as were available for duty in Bering Sea during the coming season had been ordered to report for duty to this Department.

The information contained therein has been transmitted to Commander C. E. Clark, United States Navy, commanding the U. S. S. *Mohican*, who has been detailed to command the force of naval vessels and revenue cutters assigned to duty in Bering Sea.

Very respectfully,

H. A. HERBERT,
Secretary of the Navy.

The SECRETARY OF THE TREASURY.

NAVY DEPARTMENT,
Washington, D. C., April 18, 1894.

SIR: At the request of his excellency, the British ambassador, I have the honor to transmit through your Department a list of the vessels which are to compose the United States naval force in Bering Sea during the coming season.

I have the honor to be, sir, very respectfully,

H. A. HERBERT,
Secretary of the Navy.

The SECRETARY OF STATE.

List of vessels to compose United States naval force in Bering Sea

U. S. S. *Mohican*, Commander C. E. Clark, United States Navy, commanding and senior officer of the fleet.
U. S. S. *Adams*, Commander J. J. Brice, United States Navy, commanding.
U. S. S. *Bennington*, Commander C. M. Thomas, United States Navy, commanding.
U. S. S. *Alert*, Commander William A. Morgan, United States Navy, commanding.
U. S. S. *Ranger*, Commander E. Longnecker, United States Navy, commanding.
U. S. S. *Yorktown*, Commander W. M. Folger, United States Navy, commanding.
U. S. S. *Concord*, Commander C. F. Goodrich, United States Navy, commanding.
U. S. S. *Petrel*, Lieut. Commander W. H. Emory, United States Navy, commanding.
U. S. F. C. S. *Albatross*, Lieut. Commander F. J. Drake, United States Navy, commanding.
U. S. R. C. *Corwin*, Capt. F. M. Munger, United States Revenue Marine, commanding.
U. S. R. C. *Rush*, Capt. C. L. Hooper, United States Revenue Marine, commanding.
U. S. R. C. *Bear*, Capt. M. Healy, United States Revenue Marine, commanding.

NAVY DEPARTMENT,
Washington, D. C., April 17, 1894.

SIR: I have the honor to inform you that the Bering Sea fleet during the coming season will be composed of the U. S. ships *Mohican*, *Bennington*, *Alert*, *Ranger*, *Yorktown*, *Adams*, *Concord*, and *Petrel*, the U. S. revenue cutters *Rush*, *Bear*, and *Corwin*, and the Fish Commission steamer *Albatross*.

Commander Charles E. Clark, United States Navy, commanding the *Mohican*, has been detailed to command this force.

In order to avoid unnecessary delay, the exigencies of the service demand that all correspondence with these vessels be sent direct, and not through the commander-in-chief.

Very respectfully,

H. A. HERBERT,
Secretary of the Navy.

COMMANDER-IN-CHIEF PACIFIC STATION,
Honolulu, Hawaiian Islands, Flagship Philadelphia.

NAVY DEPARTMENT,
Washington, D. C., April 19, 1894.

SIR: Reading carefully the section of the British act you had the kindness to send me on yesterday, it occurs to me that it may be construed to mean that each officer who is to take part in the execution of the award of the acts of Congress and the Parliament of Great Britain, should be named by orders in council. I therefore have the honor to transmit to you a complete list of all the officers, including naval cadets, who, in cases of emergency, are sometimes put, as officers, in charge of detachments of men, that your Government may have these names before it, if it be deemed desirable to insert them in orders.

Under the instructions issued by this Department, a copy of which is herewith transmitted to you, it will be seen that the American act contemplates the sending of British vessels seized, under a sufficient force to secure their safe delivery, to British authorities.

I have the honor to be, very respectfully, your obedient servant,

H. A. Herbert,
Secretary of the Navy.

The **British Ambassador,**
Washington, D. C.

[Inclosure.]

Line officers of the Navy attached to the Bering Sea fleet.

U. S. S. MOHICAN.

Commander Charles E. Clark.
Lieut. Albion V. Wadhams.
Lieut. John B. Collins.
Lieut. Bernard O. Scott.
Lieut. (J. G.) James H. Hetherington.
Ensign Charles F. Hughes.
Ensign William K. Harrison.
Ensign Thomas J. Senn.

U. S. S. CONCORD.

Commander Caspar F. Goodrich.
Lieut. Ebenezer S. Prime.
Lieut. Greenlief A. Merriam.
Lieut. William S. Hogg.
Lieut. (J. G.) Edwards F. Leiper.
Ensign Marbury Johnston.
Ensign Nathan C. Twining.
Ensign Lay H. Everhart.
Naval Cadet (Line Division) Chester Wells.
Naval Cadet (Line Division) James B. Potter.
Naval Cadet (Line Division) Alfred A. Pratt.
Naval Cadet (Line Division) Andre M. Proctor.

U. S. S. YORKTOWN.

Commander William M. Folger.
Lieut. Arthur B. Speyers.
Lieut. Herman F. Fichbohm.
Lieut. William G. Cutler.
Lieut. Clifford J. Boush.
Lieut. (J. G.) William A. Gill.
Ensign Harry A. Field.
Ensign Richard H. Jackson.

U. S. S. BENNINGTON.

Commander Charles M. Thomas.
Lieut. Commander Robert T. Jasper.
Lieut. James C. Cresap.
Lieut. Frederick W. Coffin.
Lieut. Thomas S. Rodgers.
Lieut. (J. G.) Harry Phelps.
Lieut. (J. G.) Theodore G. Dewey.
Ensign Charles B. McVay, jr.
Ensign Renwick J. Hartung.
Naval Cadet (Line Division) Edwin A. Elder.
Naval Cadet (Line Division) Henry A. Pearson.
Naval Cadet (Line Division) Frank L. Chadwick.
Naval Cadet (Line Division) John L. Sticht.

U. S. S. RANGER.

Commander Edwin Longnecker.
Lieut. William C. Strong.
Lieut. Francis E. Greene.
Lieut. Edward D. Bostick.
Lieut. (J. G.) Thomas Snowden.
Ensign William C. Cole.
Ensign DeWitt Blamer.
Ensign Henry H. Hough.

U. S. S. ADAMS.

Commander John J. Brice.
Lieut. Charles F. Norton.
Lieut. William P. Elliott.
Lieut. Fidelio S. Carter.
Lieut. William G. Hannum.
Ensign George R. Marvell.
Ensign Henry J. Ziegemeier.
Ensign Charles T. Vogelgesang.

Line officers of the Navy attached to the Bering Sea fleet—Continued.

U. S. S. ALERT.

Commander William A. Morgan.
Lieut. John H. C. Coffin.
Lieut. Asher C. Baker.
Lieut. Charles F. Pond.
Lieut. (J. G.) William E. Safford.
Ensign Carlo B. Brittain.
Ensign Lucius A. Bostwick.
Ensign Harry H. Caldwell.

U. S. S. PETREL.

Lieut. Commander William H. Emory.
Lieut. Nathan Sargent.
Lieut. Oren E. Lasher.
Ensign Guy W. Brown.
Ensign Mark L. Bristol.
Ensign Benjamin F. Hutchison.
Ensign William V. Pratt.
Ensign George B. Bradshaw.

U. S. S. ALBATROSS.

Lieut. Commander Franklin J. Drake.
Lieut. Augustus F. Fechteler.
Ensign Houston Eldredge.
Ensign William R. Shoemaker.
Ensign Charles M. Fahs.
Ensign Philip Williams.

List of officers on board of the revenue cutters that will cruise in Bering Sea during the coming season.

REVENUE CUTTER BEAR.

Capt. M. A. Healy.
First Lieut. F. G. Wadsworth.
Second Lieut. John L. Davis.
Second Lieut. John E. Reinburg.

REVENUE CUTTER RUSH.

Capt. C. L. Hooper.
First Lieut. H. B. Rogers.
Second Lieut. F. M. Dunwoody.

REVENUE CUTTER CORWIN.

Capt. F. M. Munger.
First Lieut. Albert Buhner.
Second Lieut. W. V. E. Jacobs.
Third Lieut. G. C. Carmine.
Third Lieut. G. M. Daniels.

It is the intention to assign another lieutenant to the *Rush*.

NAVY DEPARTMENT,
Washington, D. C., April 19, 1894.

SIR: I have the honor to acknowledge the receipt of your letter of the 17th instant, transmitting copy of a telegram dated April 16, addressed to the commanding officer of the revenue cutter *Bear*, and to inform you that the commanding officer of the Bering Sea squadron will be directed to issue the orders requested for the *Bear* before that vessel sails from Puget Sound for the Arctic Ocean.

Very respectfully, your obedient servant,

W. MCADOO,
Acting Secretary of the Navy.

The SECRETARY OF THE TREASURY.

NAVY DEPARTMENT,
Washington, D. C., April 19, 1894.

SIR: I have the honor to acknowledge, with thanks, the receipt of your letter of the 16th instant, inclosing copies of instructions furnished the commanding officer of the revenue steamer *Corwin* as to his duties outside of and secondary to any orders he may receive from the Navy Department.

Very respectfully, your obedient servant,

W. MCADOO,
Acting Secretary of the Navy.

The SECRETARY OF THE TREASURY.

NAVY DEPARTMENT,
Washington, D. C., April 19, 1894.

SIR: I have to inclose herewith, for your information and guidance, copy of a communication received from the honorable Secretary of the Treasury, transmitting a copy of a telegram sent to the commanding officer of the revenue steamer *Bear*.

Please issue the orders requested, to the *Bear*, before that vessel leaves Puget Sound for the Arctic Ocean.

Very respectfully,
W. MCADOO.
Acting Secretary of the Navy.

Commander C. E. CLARK, U. S. N.,
Commanding U. S. Naval Force in Bering Sea,
U. S. S. Mohican, Port Townsend, Wash.

[Inclosure.]

TREASURY DEPARTMENT,
April 17, 1894.

SIR: Referring to Department letter of the 12th instant regarding certain revenue vessels that are intended for service in Bering Sea the coming season, I have the honor to transmit herewith copy of a telegram sent yesterday to Capt. M. A. Healy, commanding the revenue steamer *Bear*, directing him to report to you by telegraph for temporary duty after the 1st of September next.

It is expected that the *Bear* will leave Port Townsend, Wash., on her northern cruise about May next, and it is suggested that if her commanding officer could be furnished, prior to leaving Puget Sound, with the instructions that are intended to be given the Bering Sea fleet he might be able to perform some service thereunder on his cruise to the Arctic Ocean.

Respectfully, yours,
S. WIKE, *Acting Secretary.*

The SECRETARY OF THE NAVY.

[Inclosure.—Telegram.]

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., April 16, 1894.

By direction of President you will report by telegraph to the honorable Secretary of the Navy for temporary duty, with your command, after September 1, and you will perform, prior to that date, such duty under instructions he may give as can be properly performed without interfering with Arctic cruise under orders to be issued by this Department.

J. G. CARLISLE.

Captain HEALY,
Revenue Steamer Bear, San Francisco, Cal.

[Confidential.]

NAVY DEPARTMENT,
Washington, April 18, 1894.

SIR: Referring to the Department's order of even date, marked A, you will, upon the receipt of telegraphic sailing orders, proceed to sea with the vessels under your command, to cruise in the North Pacific and Bering Sea, to carry out the provisions of the act of Congress, approved April 6, 1894.

Copies (500 of each) of the Department's order, marked A, of the President's proclamations and of the British act have been mailed to you at Port Townsend, Wash. To these publications you will give all possible publicity.

Charts indicating the prohibited waters of Bering Sea, as prescribed by sections 1 and 2 of the President's proclamation, have been forwarded to you by mail.

From the inclosed copies of letters, marked B, from the United States consul at Victoria, British Columbia, to the Department of State, the names of the American and British vessels which have cleared from various ports for Bering Sea during the present season can be obtained.

The collector of customs at Port Townsend and the United States consul at Victoria, British Columbia, have been instructed to inform you of the sailing of any additional vessels since the letters were written, and to give you any further information in their possession bearing upon the subject of your cruise.

The officers in charge of the branch hydrographic offices at San Francisco, Port Townsend, and Portland have been directed to give you such information relating to sealers as they may be able to obtain.

The Department has made arrangements to supply the vessels under your command with coal and fresh meat and vegetables. You have already been advised of the conditions of the contracts for the abovementioned articles.

You will ascertain, and as far as expedient, will follow the route taken by the sealing fleet to Bering Sea, serving notice of the concurrent regulations for the protection and preservation of the seals upon as many as possible of the sealers before their arrival within the waters of Bering Sea. You may find it necessary to send one or more of your vessels ahead in order to overtake the most advanced of the sealing fleet.

The route followed by the sealers is not known with exactness, and varies from year to year. It may be expected to be governed by the course of the seal herd, which follows, in a general way, the trend of the coast from Vancouver around to Kadiak, usually within 200 miles of the shore, and thence to the Shumagin Islands and Bering Sea. It will, however, be your duty to inform yourself, by every means at your command, of the possible route of the sealers and so to shape your course and dispose your ships as to meet and warn the largest number of vessels possible. The time of your arrival at Unalaska is left to your discretion, but it is expected that you will have one vessel at least at that point before the first of the sealers arrives. The main object of your cruise up to the time of your arrival there is the notification of sealers.

The Department expects you, in accordance with the accompanying instructions as to warning, to serve notice upon every sealer now at sea that she will be seized if she enters Bering Sea for the purpose of sealing. The names of all vessels warned and the locality and date of warning will be communicated as soon as possible to all United States and British vessels engaged in the duty of enforcing the prohibitions of the concurrent regulations, and you will, as far as possible, supply all such vessels with complete lists of vessels warned, revised from time to time as new names are added.

About the middle or end of June it is the practice of the sealing vessels to rendezvous at some point outside of Bering Sea preparatory to entering therein, where they are met by a steamer to which the skins already taken are transshipped. Such transshipment within the waters of the United States is in violation of the revenue laws (Rev. Stat., secs. 2867, 2868). You will carefully examine this statute in order to ascertain your powers thereunder. You will observe that they prescribe certain penalties, viz, the forfeiture of the merchandise so unladen and of the vessel into which it is unladen, together with other penalties.

It should be your endeavor to make such dispositions that you may be enabled to seize, within the waters of the United States, the vessel committing this unlawful act after the skins shall have been taken on board. Having accomplished the seizure you will send the offending vessel, together with the skins which have been unlawfully laden on board, the guilty parties, and full proofs, in charge of a sufficient force to insure delivery, to the nearest port wherein a court is situated having jurisdiction to try the offense and impose the penalties for the same, and there deliver her to the proper authorities, to be proceeded against under the law. Seized vessels will be sent into port in charge of a commissioned officer of the line of the Navy, a naval cadet of the line division, or of a lieutenant of the United States Revenue-Marine Service.

As any intimation of such a purpose would defeat the intentions of the Department, you will preserve the utmost secrecy in reference to these orders.

Any vessel, of whatever nationality, and whether previously warned or not, that is discovered at any time taking seal within the Territorial waters of Alaska, will be sent to Sitka and delivered to the proper officers of the court, to be proceeded against under the law. In reference to this you will be guided by the following provisions of a circular defining section 1956, Revised Statutes, issued by the Treasury Department April 14, 1893, as follows:

> No fur-bearing animal will be allowed to be killed by persons other than natives within the limits of Alaska Territory or in the waters thereof.
>
> The killing by any one of fur seals, except upon the Pribilof Islands by such party or parties as are permitted so to do, pursuant to the terms of a contract between the Government of the United States and such party or parties, is prohibited.
>
> White men married to natives and residing within the Territory will not be entitled to the privilege of natives under this order.
>
> The use of nets by the natives in taking sea otter is hereby prohibited.
>
> The master of any vessel having on board skins of otter, mink, marten, sable fur seal, or other fur-bearing animals, taken in Alaska or Alaskan waters, before unlading the same shall report to the collector of customs at the first port of arrival of such vessel in the United States, and shall file a manifest of such skins with said collector.
>
> Masters of vessels failing to comply with these regulations will be considered as having violated the provisions of section 1956 of the Revised Statutes, and will be liable to the penalties prescribed therein.
>
> It will be the duty of the officers of the United States who may be in the localities where sea otter, mink, marten, sable, or fur seal, or other fur-bearing animals are taken, or who may have knowledge of any such offense committed, to take all proper measures to enforce the penalties of the law against persons guilty of a violation thereof.
>
> These regulations supersede all others previously in force.

You will be guided by these regulations unless they are modified by subsequent orders from the Treasury Department.

Copies of the contract marked C, between the United States and the North American Commercial Company, under which said company is granted the exclusive right of taking fur seals upon the Pribilof Islands in Alaska, are herewith inclosed for your information and guidance.

During the month of June, and perhaps earlier, the sealers will probably be found in the waters south of the Alaskan Peninsula and the Aleutian Islands from the neighborhood of Kadiak to Amukhta Pass. Some of them will doubtless attempt to enter the sea at this time. You will direct the movements of your vessels in accordance with the information that you may obtain on this subject.

As soon as you are satisfied that the date has arrived for the entry of the sealers into Bering Sea, you will dispose your vessels to the best advantage for the seizure of the sealers. The mode of patrolling the sea is left to your discretion. You will be especially careful to guard effectually the passes most frequented by the sealers, and in particular Akutan, Unalga, and Unimak passes, and the passes between Fox Islands and the Andreanoff group.

The zone in Bering Sea most frequented by the seals, and consequently by the sealers, is comprised within a line drawn from Amukhta Pass to a point 100 miles due west of the Pribilof group, thence encircling that group to the northward and eastward at a distance of about 100 miles therefrom, and thence extending southward to the Unimak Pass. It is believed, however, that the seals rarely go more than 75 miles to the northward of the islands, but that to the eastward their wanderings extend from 100 to 150 miles in the direction of Bristol Bay. You will so dispose your vessels in the work of patrolling the sea as to cover as effectually as possible all parts of this zone, taking care that the immediate neighborhood of the Pribilof Islands shall under no circumstances be left unprotected, and that a sufficient watch be maintained as long as necessary at the passes of the Aleutian Islands.

Vessels fitted at and legally cleared from Unalaska carrying native hunters for the purpose of hunting and killing sea otter are not to be molested while engaged in their legitimate work. This is provided for in section 6 of the President's proclamation.

You are authorized to land a small force for the protection of the seals on the rookeries, should you deem such action necessary. You will confer with the United States officials on the islands, and act as far as possible in concert with them in the furtherance of the interests of the Government.

Please furnish the Department with copies of all orders issued by you to the vessels under your command, and copies of all reports made to you by the commanding officers of these vessels.

The regulations respecting the "special license" for sailing vessels, and the "distinguishing flag" to be worn by the same during the open season, mentioned in sections 3 and 7 of the act, will be furnished to you as soon as they have been prescribed by the President and the British Government.

Due economy must be exercised in the expenditure of coal. A mere statement of the number of miles steamed will not be considered as an index of the efficiency of the patrol.

The Department expects you to exercise the utmost diligence in preventing the taking of seals in Bering Sea during the coming season, and expects from you the exercise of untiring vigilance and a wise discretion.

Keep the Department fully informed of your movements by every possible conveyance.

In order to avoid unnecessary delay, all correspondence from the vessels under your command will be sent direct to the Department, and not through the commander in chief of the Pacific station, who, at present, is at Honolulu.

Very respectfully,

H. A. Herbert,
Secretary of the Navy.

Commander Charles E. Clark,
Commanding United States Naval Force in Bering Sea,
U. S. S. Mohican, Port Townsend, Wash.

[Inclosure A.]

NAVY DEPARTMENT,
Washington, April 18, 1894.

SIR: Having been detailed to command a force of naval vessels and revenue cutters to carry out the provisions of an act of Congress, approved April 6, 1894, "to give effect to the award rendered by the Tribunal of Arbitration, at Paris, under the treaty between the United States and Great Britain, concluded at Washington February twenty-ninth, eighteen hundred and ninety-two, for the purpose of submitting to arbitration certain questions concerning the preservation of the fur seals," and of the President's proclamation of the same, dated Washington, D. C., April 9, 1894, you will order the vessels under your command to warn all American and British vessels they may meet outside of the waters prohibited by this act not to enter these waters for the purpose of sealing during the periods of time in which fur-seal fishing is so prohibited, and you will deliver to the commanding officer of each vessel so warned a copy of the President's proclamation, of the British act, and of these instructions.

An entry, showing the notice of warning, shall be made upon the register of all vessels of the United States and Great Britain that have been warned.

In accordance with the provisions of the above-mentioned act, as appears by reference to section 1 thereof, fur-seal fishing is forbidden to the persons mentioned therein, and to all subjects of Great Britain, to persons owing the duty of obedience to the laws or the treaties of Great Britain, and to all persons belonging to or on board of a vessel of Great Britain, at any time or in any manner whatever, outside of territorial waters, in the waters surrounding the Pribilof Islands within a zone of 60 geographical miles thereof (60 to a degree of latitude) around said islands, inclusive of the territorial waters.

You will observe that the act of Congress extends the zone referred to in this paragraph 60 (geographical) miles around said islands, exclusive of the territorial waters, but you are hereby instructed to treat the limit as extending only 60 (geographical) miles around said islands, inclusive of the territorial waters. The word exclusive was inadvertently inserted in the act of Congress, instead of the word inclusive, which appears in the award, and which it is the purpose of the act to enforce.

During the season extending from May 1 to July 31, both inclusive in each year, fur-seal fishing is forbidden to all persons mentioned in the first section of the act, and to all subjects of Great Britain, to persons owing the duty of obedience to the laws or the treaties of Great Britain, and to all persons belonging to or on board of a vessel of Great Britain, not only in the zone mentioned in the third paragraph of these instructions, but in that part of the Pacific Ocean, including Bering Sea, which is situated to the north of the thirty-fifth degree of north latitude and to the east of the one hundred and eightieth degree of longitude from Greenwich, till it strikes the water boundary between the United States and Russia. This boundary line passes through a point in Bering Straits on the parallel of 65° 30′ north latitude, at its intersection by the meridian which passes midway between the islands of Krusenstern or Ignalook, and the island of Ratmanoff, or Noonarbook, and proceeds due north, without limitation, into the same frozen ocean. The same western limit, beginning at the same initial point, proceeds thence in a course nearly southwest, through Bering Straits and Bering Sea, so as to pass midway between the northwest point of the island of St. Lawerence and the southeast point of Cape Choukotski, to the meridian of 172 west longitude; thence from the intersection of that meridian in a southwesterly direction until it strikes the one hundred and eightieth degree of longitude from Greenwich.

The regulations respecting the "special license" for sailing vessels, and the "distinguishing flag" to be worn by the same during the open season, mentioned in sections 3 and 7 of the act, are hereafter to be prescribed and promulgated by the Governments of the United States and Great Britain.

Any vessel or person described in the first section of this act, or any subject of Great Britain, or person owing obedience to the laws or the treaties of Great Britain, or any person belonging to or on board of any vessel of Great Britain, unauthorized by this act, found to be or to have been employed in sealing during the period of time and in the waters therein prohibited, whether with or without warning, and any of such vessels or persons found therein, whether warned or not, having on board or in their possession apparatus or implements suitable for taking seal or seal skins or bodies of seals, you will order seized.

The commanding officer making the seizure will, at the time thereof, draw up a declaration in writing stating the condition of the seized vessel, the date and place of seizure, giving latitude and longitude and circumstances showing guilt. The seized vessel will be brought or sent, as soon as practicable, with all persons on board thereof, in charge of a sufficient force to insure delivery, together with witnesses and proofs, and the declaration of the officer making the seizure, if American, to the most convenient port of Alaska, California, Oregon, or Washington, and there delivered to the officers of the United States courts having jurisdiction to try the offense and impose penalties for the same; and, if British, to Unalaska, and there delivered to the senior British naval officer present or to the most convenient port in British Columbia, and delivered to the proper authorities of Great Britain, or delivered to the commanding officer of any British vessel charged with the execution of the award herein referred to.

A signed and certified list of the papers of the seized vessel will be delivered to the master thereof, and a duplicate copy will be transmitted with the declaration.

Copies of the act of the British Parliament are herewith inclosed.

Very respectfully,

H. A. HERBERT,
Secretary of the Navy.

Commander CHARLES E. CLARK, U. S. N.,
Commanding U. S. Naval force in Bering Sea,
U. S. S. Mohican, Port Townsend, Wash.

[Seal Fisheries.]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas an act of Congress entitled "An act to give effect to the award rendered by the Tribunal of Arbitration at Paris, under the treaty between the United States and Great Britain, concluded at Washington, February 29, 1892, for the purpose of submitting to arbitration certain questions concerning the preservation of fur seals" was approved April 6, 1894, and reads as follows:

Whereas the following articles of the award of the Tribunal of Arbitration constituted under the treaty concluded at Washington the twenty-ninth of February, eighteen hundred and ninety-two, between the United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland were delivered to the agents of the respective Governments on the fifteenth day of August, eighteen hundred and ninety-three:

ARTICLE 1.

The Governments of the United States and Great Britain shall forbid their citizens and subjects respectively to kill, capture, or pursue at any time, and in any manner whatever, the animals commonly called fur seals, within a zone of sixty miles around the Pribilof Islands, inclusive of the territorial waters.

The miles mentioned in the preceding paragraph are geographical miles, of sixty to a degree of latitude.

ARTICLE 2.

The two Governments shall forbid their citizens and subjects respectively to kill, capture, or pursue, in any manner whatever, during the season extending, each year, from the first of May to the thirty-first of July, both inclusive, the fur seals on the high sea, in the part of the Pacific Ocean, inclusive of the Bering Sea, which is situated to the north of the thirty-fifth degree of north latitude, and eastward of the one hundred and eightieth degree of longitude from Greenwich till it strikes the water boundary described in article one of the treaty of eighteen hundred and sixty-seven between the United States and Russia, and following that line up to Berings Straits.

ARTICLE 3.

During the period of time and in the waters in which the fur-seal fishing is allowed, only sailing vessels shall be permitted to carry on or take part in fur-seal fishing operations. They will, however, be at liberty to avail themselves of the use of such canoes or undecked boats, propelled by paddles, oars, or sails, as are in common use as fishing boats.

ARTICLE 4.

Each sailing vessel authorized to fish for fur seals must be provided with a special license issued for that purpose by its Government, and shall be required to carry a distinguishing flag to be prescribed by its Government.

ARTICLE 5.

The masters of the vessels engaged in fur-seal fishing shall enter accurately in their official log book the date and place of each fur-seal fishing operation, and also the number and sex of the seals captured upon each day. These entries shall be communicated by each of the two Governments to the other at the end of each fishing season.

ARTICLE 6.

The use of nets, firearms, and explosives shall be forbidden in the fur-seal fishing. This restriction shall not apply to shotguns when such fishing takes place outside of Bering Sea during the season when it may be lawfully carried on.

ARTICLE 7.

The two Governments shall take measures to control the fitness of the men authorized to engage in fur-seal fishing; these men shall have been proved fit to handle with sufficient skill the weapons by means of which this fishing may be carried on.

ARTICLE 8.

The regulations contained in the preceding articles shall not apply to Indians dwelling on the coast of the territory of the United States or of Great Britain, and carrying on fur-seal fishing in canoes or undecked boats not transported by or used in connection with other vessels and propelled wholly by paddles, oars, or sails and manned by not more than five persons each in the way hitherto practiced by the Indians, provided such Indians are not in the employment of other persons, and provided that, when so hunting in canoes or undecked boats, they shall not hunt fur seals outside of territorial waters under contract for the delivery of the skins to any person.

This exemption shall not be construed to affect the municipal law of either country, nor shall it extend to the waters of Bering Sea or the waters of the Aleutian Passes.

Nothing herein contained is intended to interfere with the employment of Indians as hunters or otherwise in connection with fur-sealing vessels as heretofore.

ARTICLE 9.

The concurrent regulations hereby determined with a view to the protection and preservation of the fur seals, shall remain in force until they have been, in whole or in part, abolished or modified by common agreement between the Governments of the United States and of Great Britain.

The said concurrent regulations shall be submitted every five years to a new examination, so as to enable both interested Governments to consider whether, in the light of past experience, there is occasion for any modification thereof.

Now therefore, be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no citizen of the United States, or person owing the duty of obedience to the laws or the treaties of the United States, nor any person belonging to or on board of a vessel of the United States, shall kill, capture, or pursue, at any time, or in any manner whatever, outside of territorial waters, any fur seal in the waters surrounding the Pribilof Islands within a zone of sixty geographical miles (sixty to a degree of latitude) around said islands, exclusive of the territorial waters.

SEC. 2. That no citizen of the United States, or person above described in section one of this act, nor any person belonging to or on board of a vessel of the United States, shall kill, capture, or pursue, in any manner whatever, during the season extending from the first day of May to the thirty-first day of July, both inclusive, in each year, any fur seal on the high seas outside of the zone mentioned in section one, and in that part of the Pacific Ocean, including Behring Sea, which is situated to the north of the thirty-fifth degree of north latitude and to the east of the one hundred and eightieth degree of longitude from Greenwich till it strikes the water boundary described in article one of the treaty of eighteen hundred and sixty-seven, between the United States and Russia, and following that line up to Behring Straits.

SEC. 3. No citizen of the United States or person above described, in the first section of this act, shall, during the period and in the waters in which by section two of this act the killing of fur seals is not prohibited, use or employ any vessel, nor shall any vessel of the United States be used or employed, in carrying on or taking part in fur-seal fishing operations, other than a sailing vessel propelled by sails exclusively, and such canoes or undecked boats, propelled by paddles, oars, or sails as may belong to, and be used in connection with, such sailing vessels; nor shall any sailing vessel carry on or take part in such operations without a special license obtained from the Government for that purpose, and without carrying a distinctive flag prescribed by the Government for the same purpose.

SEC. 4. That every master of a vessel licensed under this act to engage in fur-seal fishing operations shall accurately enter in his official log book the date and place of every such operation, and also the number and sex of the seals captured each day; and on coming into port, and before landing cargo, the master shall verify, on oath, such official log book as containing a full and true statement of the number and character of his fur-seal fishing operations, including the number and sex of seals captured; and for any false statement willfully made by a person so licensed by the United States in this behalf he shall be subject to the penalties of perjury; and any seal skins found in excess of the statement in the official log book shall be forfeited to the United States.

SEC. 5. That no person or vessel engaging in fur-seal fishing operations under this act shall use or employ in any such operations any net, firearm, airgun, or explosive: *Provided, however,* That this prohibition shall not apply to the use of shotguns in such operations outside of Behring Sea during the season when the killing of fur seals is not there prohibited by this act.

SEC. 6. That the foregoing sections of this act shall not apply to Indians dwelling on the coast of the United States and taking fur seals in canoes or undecked boats propelled wholly by paddles, oars, or sails, and not transported by or used in connection with other vessels, or manned by more than five persons, in the manner heretofore practiced by the said Indians: *Provided, however,* That the exception made in this section shall not apply to Indians in the employment of other persons, or who shall kill, capture, or pursue fur seals outside of territorial waters under contract to deliver the skins to other persons, nor to the waters of Behring Sea, or of the passes between the Aleutian Islands.

SEC. 7. That the President shall have power to make regulations respecting the special license and the distinctive flag mentioned in this act and regulations otherwise suitable to secure the due execution of the provisions of this act, and from time to time to add to, modify, amend, or revoke such regulations, as in his judgment may seem expedient.

SEC. 8. That, except in the case of a master making a false statement under oath in violation of the provisions of the fourth section of this act, every person guilty of a violation of the provisions of this act, or of the regulations made thereunder, shall for each offense be fined not less than two hundred dollars, or imprisoned not more than six months, or both; and all vessels, their tackle, apparel, furniture, and cargo, at any time used or employed in violation of this act, or of the regulations made thereunder, shall be forfeited to the United States.

SEC. 9. That any violation of this act, or of the regulations made thereunder, may be prosecuted either in the district court of Alaska or in any district court of the United States in California, Oregon, or Washington.

SEC. 10. That if any unlicensed vessel of the United States shall be found within the waters to which this act applies, and at a time when the killing of fur seals is by this act there prohibited, having on board seal skins or bodies of seals, or apparatus or implements suitable for killing or taking seals; or if any licensed vessel shall be found in the waters to which this act applies, having on board apparatus or implements suitable for taking seals, but forbidden then and there to be used, it shall be presumed that the vessel in the one case and the apparatus or implements in the other was or were used in violation of this act until it is otherwise sufficiently proved.

SEC. 11. That it shall be the duty of the President to cause a sufficient naval force to cruise in the waters to which this act is applicable to enforce its provisions, and it shall be the duty of the commanding officer of any vessel belonging to the naval or revenue service of the United States, when so instructed by the President, to seize and arrest all vessels of the United States found by him to be engaged, used, or employed in the waters last aforesaid in violation of any of the prohibitions of this act, or of any regulations made thereunder, and to take the same, with all persons on board thereof, to the most convenient port in any district of the United States mentioned in this act, there to be dealt with according to law.

SEC. 12. That any vessel or citizen of the United States, or person described in the first section of this act, offending against the prohibitions of this act or the regulations thereunder, may be seized and detained by the naval or other duly commissioned officers of Her Majesty the Queen of Great Britain, but when so seized and detained they shall be delivered as soon as practicable, with any witnesses and proofs on board, to any naval or revenue officer or other authorities of the United States, whose courts alone shall have jurisdiction to try the offense and impose the penalties for the same: *Provided, however*, That British officers shall arrest and detain vessels and persons as in this section specified only after, by appropriate legislation, Great Britain shall have authorized officers of the United States duly commissioned and instructed by the President to that end to arrest, detain, and deliver to the authorities of Great Britain vessels and subjects of that Government offending against any statutes or regulations of Great Britain enacted or made to enforce the award of the treaty mentioned in the title of this act.

Approved, April 6, 1894.

Now, therefore, be it known that I, Grover Cleveland, President of the United States of America, have caused the said act specially to be proclaimed to the end that its provisions may be known and observed; and I hereby proclaim that every person guilty of a violation of the provisions of said act will be arrested and punished as therein provided; and all vessels so employed, their tackle, apparel, furniture, and cargo will be seized and forfeited.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this 9th day of April, in the year of our Lord one thousand eight hundred and ninety-four, and of the Independence of the United States the one hundred and eighteenth.

[SEAL.] GROVER CLEVELAND.

By the President:
W. Q. GRESHAM,
Secretary of State.

BERING SEA AWARD BILL.

[As amended in committee.]

ARRANGEMENT OF CLAUSES.

Clause.
1. Enactment of articles of arbitrators' award respecting the fur seal.
2. Provision as to ship's papers.
3. Orders in council.
4. Liability of master to punishment.
5. Definitions.
6. Short title.
7. Commencement of act.
8. Duration of act.

Schedules.

A BILL.

[As amended in committee.]

INTITULED

AN ACT to provide for carrying into effect the award of the Tribunal of Arbitration constituted under a treaty between Her Majesty the Queen and the United States of America.

Whereas by a treaty between Her Majesty the Queen and the Government of the United States of America various questions which had arisen respecting the taking and preservation of the fur seal in the North Pacific were referred to arbitrators as mentioned in the treaty:

And whereas the award of such arbitrators (in this act referred to as the Behring Sea Arbitration award), dated the fifteenth day of August, one thousand eight hundred and ninety-three, contained the provisions set out in the first schedule to this act; and it is expedient to provide for carrying the same into effect:

Be it therefore enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. (1) The provisions of the Behring Sea Arbitration Award set out in the first schedule to this act shall have effect as if those provisions (in this act referred to as the scheduled provisions) were enacted by this act, and the acts directed by articles one and two thereof to be forbidden were expressly forbidden by this act.

(2) If there is any contravention of this act, any person committing, procuring, aiding, or abetting such contravention shall be guilty of a misdemeanor within the meaning of the merchant shipping act, 1854, and the ship employed in such contravention and her equipment, and everything on board thereof, shall be liable to be forfeited to Her Majesty as if an offence had been committed under section one hundred and three of the said act; Provided, that the court, without prejudice to any other power may release the ship, equipment, or thing on payment of a fine not exceeding five hundred pounds.

(3) The provisions of the merchant shipping act, 1854, with respect to official logs (including the penal provisions) shall apply to every vessel engaged in fur seal fishing.

(4) Every person who forges or fraudulently alters any licence or other document issued for the purpose of article four or of article seven in the first schedule to this act, or who procures any such licence or document to be forged or fraudulently altered, or who knowing any such license or document to be forged or fraudulently altered uses the same, or who aids in forging or fraudulently altering any such licence or document, shall be guilty of a misdemeanor within the meaning of the merchant shipping act, 1854.

(5) Subject to this act, the provisions of sections one hundred and three and one hundred and four and part ten of the merchant shipping act, 1854, and of section thirty-four of the merchant shipping act, 1876, which are set out in the second schedule to this act, shall apply as if they were herein reenacted, and in terms made applicable to an offence and forfeiture under this act; and any commissioned officer on full pay in the naval service of Her Majesty the Queen may seize the ship's certificate of registry.

2. (1) Where an officer seizes, under this act, a ship's certificate of registry, he shall either retain the certificate and give a provisional certificate in lieu thereof, or return the certificate with an indorsement of the grounds on which it was seized, and in either case shall direct the ship, by an addition to the provisional certificate or to the indorsement, to proceed forthwith to a specified port, being a port where there is a British court having authority to adjudicate in the matter, and if this direction is not complied with, the owner and master of the ship shall, without

prejudice to any other liability, each be liable to a fine not exceeding one hundred pounds.

(2) Where in pursuance of this section a provisional certificate is given to a ship, or the ship's certificate is indorsed, any officer of customs in Her Majesty's dominions or British consular officer may detain the ship until satisfactory security is given for her appearance in any legal proceedings which may be taken against her in pursuance of this act.

3. (1) Her Majesty the Queen in council may make, revoke, and alter orders for carrying into effect the scheduled provisions, and this act and every such order shall be forthwith laid before both houses of Parliament and published in the London Gazette, and shall have effect as if enacted in this act.

(2) If there is any contravention of any regulation made by any such order, any person committing, procuring, aiding, or abetting such contravention shall be liable to a penalty not exceeding one hundred pounds.

(3) An order in council under this act may provide that such officers of the United States of America as are specified in the order may, in respect of offences under this act, exercise the like powers under this act as may be exercised by a commissioned officer of Her Majesty in relation to a British ship, and the equipment and certificate thereof, or such of those powers as appear to Her Majesty in council to be exercisable under the law of the United States of America against ships of the United States; and that such British officers as are specified in the order may exercise the powers conferred by this act, with any necessary modifications specified in the order, in relation to a ship of the United States of America, and the equipment and certificate thereof.

4. (1) Where any offence under this act has been committed by some person belonging to a ship, or by means of a ship, or the equipment of a ship, the master of the ship shall be deemed guilty of such offence, and the ship and her equipment shall be liable to forfeiture under this act;

(2) Provided that if it is proved that the master issued proper orders for the observance, and used due diligence to enforce the observance of this act, and the regulations in force thereunder, and that the offense in question was actually committed by some other person without his connivance, and that the actual offender has been convicted, or that he has taken all proper means in his power to prosecute such offender, if alive, to conviction, the master or the ship shall not be liable to any penalty or forfeiture other than such sum as will prevent any profit accruing by reason of the offense to the master or crew or owner of the ship.

5. The expression "equipment" in this act includes any boat, tackle, fishing or shooting instruments, and other things belonging to a ship.

6. This act may be cited as the Behring Sea award act, 1894.

7. (1) This act shall come into operation on the first day of May, one thousand eight hundred and ninety-four, provided that Her Majesty in Council, if at any time it appears expedient so to do, having regard to the circumstances which have then arisen in relation to the scheduled provisions or to the enforcement thereof, may suspend the operation of this act or any part thereof during the period mentioned in the order, and the same shall be suspended accordingly.

(2) Where on any proceeding in any court against a person or ship in respect of any offense under this act it is proved that the ship sailed from its port of departure before the provisions of the award mentioned in the first schedule to this act were known there, and that such person or the master of the ship did not, after such sailing and before the alleged offence, become aware of those provisions, such person shall be acquitted, and the ship shall be released and not forfeited.

8. This act shall remain in force so long as the scheduled provisions remain in force and no longer:

Provided, That if, by agreement between Her Majesty the Queen and the Government of the United States of America, the scheduled provisions are modified, then Her Majesty in Council may order that this act shall, subject to any modifications specified in the order, apply, and the same shall accordingly apply, to the modified provisions in like manner as if they were set out in the first schedule to this act.

SCHEDULES.

FIRST SCHEDULE.

Provisions in award of the Tribunal of Arbitration constituted under the treaty concluded at Washington on the 29th of February, 1892, between Her Majesty the Queen and the United States of America.

And whereas the aforesaid determination of the foregoing questions as to the exclusive jurisdiction of the United States mentioned in Article VI leaves the subject in such a position that the concurrence of Great Britain is necessary to the establishment of regulations for the proper protection and preservation of the fur seal in or habitually resorting to the Behring Sea, the tribunal having decided by a majority as to each article of the following regulations, we the said Baron de Courcel, Lord Hannen, Marquis Visconti Venosta, and Mr. Gregërs Gram, assenting to the whole of the nine articles of the following regulations, and being a majority of the said arbitrators, do decide and determine in the mode provided by the treaty that the following concurrent regulations outside the jurisdictional limits of the respective governments are necessary, and that they should extend over the waters hereinafter mentioned; that is to say:

ARTICLE 1. The Governments of the United States and of Great Britain shall forbid their citizens and subjects, respectively, to kill, capture, or pursue at any time and in any manner whatever the animals commonly called fur seals, within a zone of 60 miles around the Pribilof Islands, inclusive of the territorial waters.

The miles mentioned in the preceding paragraph are geographical miles, of 60 to a degree of latitude.

ARTICLE 2. The two Governments shall forbid their citizens and subjects, respectively, to kill, capture, or pursue, in any manner whatever, during the season extending each year from the 1st May to the 31st July, both inclusive, the fur seals on the high sea in the part of the Pacific Ocean, inclusive of the Behring Sea, which is situated to the north of the 35th degree of north latitude, and eastward of the 180th degree of longitude from Greenwich till it strikes the water boundary described in Article I of the treaty of 1867 between the United States and Russia, and following that line up to Behring Straits.

ARTICLE 3. During the period of time and in the waters in which the fur-seal fishing is allowed, only sailing vessels shall be permitted to carry on or take part in fur-seal fishing operations. They will, however, be at liberty to avail themselves of the use of such canoes or undecked boats, propelled by paddles, oars or sails, as are in common use as fishing boats.

ARTICLE 4. Each sailing vessel authorised to fish for fur seals must be provided with a special licence, issued for that purpose by its Government, and shall be required to carry a distinguishing flag to be prescribed by its Government.

ARTICLE 5. The masters of the vessels engaged in fur-seal fishing shall enter accurately in their official log book the date and place of each fur-seal fishing operation, and also the number and sex of the seals captured upon each day. These entries shall be communicated by each of the two Governments to the other at the end of each fishing season.

ARTICLE 6. The use of nets, firearms, and explosives shall be forbidden in the fur-seal fishing. This restriction shall not apply to shotguns when such fishing takes place outside of Behring's Sea during the season when it may be lawfully carried on.

ARTICLE 7. The two Governments shall take measures to control the fitness of the men authorised to engage in fur-seal fishing. These men shall have been proved fit to handle with sufficient skill the weapons by means of which this fishing may be carried on.

ARTICLE 8. The regulations contained in the preceding articles shall not apply to Indians dwelling on the coasts of the territory of the United States or of Great Britain, and carrying on fur-seal fishing in canoes or undecked boats, not transported by or used in connexion with other vessels, and propelled wholly by paddles, oars, or sails, and manned by not more than five persons each, in the way hitherto practised by the Indians, provided such Indians are not in the employment of other persons, and provided that, when so hunting in canoes or undecked boats, they shall not hunt fur seals outside of territorial waters under contract for the delivery of the skins to any person.

This exemption shall not be construed to affect the municipal law of either country, nor shall it extend to the waters of Behring Sea, or the waters of the Aleutian Passes.

Nothing herein contained is intended to interfere with the employment of Indians as hunters or otherwise in connection with fur-sealing vessels as heretofore.

ARTICLE 9. The concurrent regulations hereby determined, with a view to the protection and preservation of the fur seals, shall remain in force until they have been, in whole or in part, abolished or modified by common agreement between the Governments of the United States and of Great Britain.

The said concurrent regulations shall be submitted every five years to a new examination, so as to enable both interested Governments to consider whether, in the light of past experience, there is occasion for any modification thereof.

SECOND SCHEDULE.

Enactments of merchant shipping act (17 and 18 Vict., c. 104) applied.

SECTION 103.

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And in order that the above provisions as to forfeitures may be carried into effect, it shall be lawful for any commissioned officer on full pay in the military or naval service of Her Majesty, or any British officer of customs, or any British consular officer, to seize and detain any ship which has, either wholly or as to any share therein, become subject to forfeiture as aforesaid, and to bring her for adjudication before the high court of admiralty in England or Ireland, or any court having admiralty jurisdiction in Her Majesty's dominions; and such court may thereupon make such order in the case as it may think fit, and may award to the officer bringing in the same for adjudication such portion of the proceeds of the sale of any forfeited ship or share as it may think right.

SECTION 104.

No such officer as aforesaid shall be responsible, either civilly or criminally, to any person whomsoever, in respect of the seizure or detention of any ship that has been seized or detained by him in pursuance of the provisions herein contained, notwithstanding that such ship is not brought in for adjudication, or, if so brought in, is declared not to be liable to forfeiture, if it is shown to the satisfaction of the judge of court before whom any trial relating to such ship or such seizure or detention is held that there were reasonable grounds for such seizure or detention; but if no such grounds are shown, such judge or court may award payment of costs and damages to any party aggrieved, and make such other order in the premises as it thinks just.

PART X.—LEGAL PROCEDURE.

Application.

SECTION 517.

The tenth part of this act shall, in all cases where no particular country is mentioned, apply to the whole of Her Majesty's dominions.

Legal procedure (general).

SECTION 518.

In all places within Her Majesty's dominions, except Scotland, the offences hereinafter mentioned shall be punished and penalties recovered in manner following (that is to say):

(1) Every offence by this act declared to be a misdemeanor shall be punishable by fine or imprisonment, with or without hard labour, and the court before which such offence is tried may, in England, make the same allowances and order payment of the same costs and expenses as if such misdemeanor had been enumerated in the act passed in the seventh year of His late Majesty King George the Fourth, chapter sixty-four, or any other act that may be passed for the like purpose, and may, in any other part of Her Majesty's dominions, make such allowances and order payment of such costs and expenses (if any) as are payable or allowable upon the trial of any misdemeanor under any existing act or ordinance or as may be payable or allowable under any act or law for the time being in force therein:

(2) Every offence declared by this act to be a misdemeanor shall also be deemed to be an offence hereby made punishable by imprisonment for any period not exceeding six months, with or without hard labour, or by a penalty not exceeding one hundred pounds, and may be prosecuted accordingly in a summary manner instead of being prosecuted as a misdemeanor:

(3) Every offence hereby made punishable by imprisonment for any period not exceeding six months, with or without hard labour, or by any penalty not exceeding one hundred pounds, shall, in England and Ireland, be prosecuted summarily before any two or more justices, as to England in the manner directed by the act of the eleventh and twelfth years of the reign of Her Majesty Queen Victoria, chapter forty-three, and as to Ireland in the manner directed by the act of the fourteenth and fifteenth years of the reign of Her Majesty Queen Victoria, chapter ninety-three, or in such other manner as may be directed by any act or acts that may be passed for like purposes. And all provisions contained in the said acts shall be applicable to such prosecutions in the same manner as if the offences in respect of which the same are instituted were hereby stated to be offences in respect of which two or more justices have power to convict summarily or to make a summary order.

(4) In all cases of summary convictions in England, where the sum adjudged to be paid exceeds five pounds, or the period of imprisonment adjudged exceeds one month, any person who thinks himself aggrieved by such conviction may appeal to the next court of general or quarter sessions.

(5) All offences under this act shall, in any British possession, be punishable in any

court or by any justice of the peace or magistrate in which or by whom offences of like character are ordinarily punishable or in such other manner, or by such other courts, justices, or magistrates as may from time to time be determined by any act or ordinance duly made in such possession in such manner as acts and ordinances in such possession are required to be made in order to have the force of law.

SECTION 519.

Any stipendiary magistrate shall have full power to do alone whatever two justices of the peace are by this act authorized to do.

SECTION 520.

For the purpose of giving jurisdiction under this act, every offence shall be deemed to have been committed, and every cause of complaint to have arisen, either in the place in which the same actually was committed or arose, or in any place in which the offender or person complained against may be.

SECTION 521.

In all cases where any district within which any court or justice of the peace or other magistrate has jurisdiction, either under this act or under any other act or at common law, for any purpose whatever, is situate on the coast of any sea, or abutting on or projecting into any bay, channel, lake, river, or other navigable water, every such court, justice of the peace, or magistrate shall have jurisdiction over any ship or boat being on or lying or passing off such coast, or being in or near such bay, channel, lake, river, or navigable water as aforesaid, and over all persons on board such ship or boat or for the time being belonging thereto, in the same manner as if such ship, boat, or persons were within the limits of the original jurisdiction of such court, justice, or magistrate.

SECTION 522.

Service of any summons or other matter in any legal proceeding under this act shall be good service, if made personally on the person to be served, or at his last place of abode, or if made by leaving such summons for him on board any ship to which he may belong with the person being or appearing to be in command or charge of such ship.

SECTION 523.

In all cases where any court, justice, or justices of the peace, or other magistrate, has or have power to make an order directing payment to be made of any seaman's wages, penalties, or other sums of money, then, if the party so directed to pay the same is the master or owner of a ship, and the same is not paid at the time and in manner prescribed in the order, the court, justice, or justices, or other magistrate, who made the order, may, in addition to any other powers they or he may have for the purpose of compelling payment, direct the amount remaining unpaid to be levied by distress or poinding and sale of the said ship, her tackle, furniture, and apparel.

SECTION 524.

Any court, justice, or magistrate imposing any penalty under this act, for which no specific application is herein provided, may, if it or he thinks fit, direct the whole or any part thereof to be applied in compensating any person for any wrong or damage which he may have sustained by the act or default in respect of which such penalty is imposed, or to be applied in or towards payment of the expenses of the proceedings; and, subject to such directions or specific application as aforesaid, all penalties recovered in the United Kingdom shall be paid into the receipt of Her Majesty's exchequer in such manner as the treasury may direct, and shall be carried to and form part of the consolidated fund of the United Kingdom; and all penalties recovered in any British possession shall be paid over into the public treasury of such possession, and form part of the public revenue thereof.

SECTION 525.

The time for instituting summary proceedings under this act shall be limited as follows (that is to say):

(1) No conviction for any offence shall be made under this act in any summary proceeding instituted in the United Kingdom, unless such proceeding is commenced

within six months after the commission of the offence; or, if both or either of the parties to such proceeding happen during such time to be out of the United Kingdom, unless the same is commenced within two months after they both first happen to arrive or to be at one time within the same;

(2) No conviction for any offence shall be made under this act in any proceeding instituted in any British possession, unless such proceeding is commenced within six months after the commission of the offence; or, if both or either of the parties to the proceeding happen during such time not to be within the jurisdiction of any court capable of dealing with the case, unless the same is commenced within two months after they both first happen to arrive or to be at one time within such jurisdiction;

(3) No order for the payment of money shall be made under this act in any summary proceeding instituted in the United Kingdom, unless such proceeding is commenced within six months after the cause of complaint arises; or, if both or either of the parties happen during such time to be out of the United Kingdom, unless the same is commenced within six months after they both first happen to arrive or to be at one time within the same;

(4) No order for the payment of money shall be made under this act in any summary proceeding instituted in any British possession, unless such proceeding is commenced within six months after the cause of complaint arises; or, if both or either of the parties to the proceeding happen during such time not to be within the jurisdiction of any court capable of dealing with the case, unless the same is commenced within six months after they both first happen to arrive or be at one time within such jurisdiction.

And no provision contained in any other act or acts, ordinance or ordinances for limiting the time within which summary proceedings may be instituted shall affect any summary proceeding under this act.

SECTION 526.

Any document required by this act to be executed in the presence of or to be attested by any witness or witnesses, may be proved by the evidence of any person who is able to bear witness to the requisite facts, without calling the attesting witness or witnesses, or any of them.

SECTION 527.

Whenever any injury has, in any part of the world, been caused to any property belonging to Her Majesty or to any of Her Majesty's subjects, by any foreign ship, if at any time thereafter such ship is found in any port or river of the United Kingdom or within three miles of the coast thereof, it shall be lawful for the judge of any court of record in the United Kingdom, or for the judge of the high court of admiralty, or in Scotland the court of session, or the sheriff of the county within whose jurisdiction such ship may be, upon its being shown to him by any person applying summarily that such injury was probably caused by the misconduct or want of skill of the master or mariners of such ship, to issue an order directed to any officer of customs or other officer named by such judge, requiring him to detain such ship until such time as the owner, master, or consignee thereof has made satisfaction in respect of such injury, or has given security, to be approved by the judge, to abide the event of any action, suit, or other legal proceeding that may be instituted in respect of such injury, and to pay all costs and damages that may be awarded thereon; and any officer of customs or other officer to whom such order is directed shall detain such ship accordingly.

SECTION 528.

In any case where it appears that before any application can be made under the foregoing section such foreign ship will have departed beyond the limits therein mentioned, it shall be lawful for any commissioned officer on full pay in the military or naval service of Her Majesty, or any British officer of customs, or any British consular officer, to detain such ship until such time as will allow such application to be made and the result thereof to be communicated to him; and no such officer shall be liable for any costs or damages in respect of such detention unless the same is proved to have been made without reasonable grounds.

SECTION 529.

In any action, suit, or other proceeding in relation to such injury, the person so giving security as aforesaid shall be made defendant or defender and shall be stated to be the owner of the ship that has occasioned such damage; and the production of the order of the judge made in relation to such security shall be conclusive evidence of the liability of such defendant or defender to such action, suit, or other proceeding.

Legal procedure (Scotland).

SECTION 530.

In Scotland every offence which by this act is described as a felony or misdemeanor may be prosecuted by indictment or criminal letters at the instance of Her Majesty's advocate before the high court of justiciary, or by criminal libel at the instance of the procurator fiscal of the county before the sheriff, and shall be punishable with fine and with imprisonment, with or without hard labour in default of payment, or with imprisonment, with or without hard labour, or with both, as the court may think fit, or in the case of felony with penal servitude, where the court is competent thereto; and such court may also, if it think fit, order payment by the offender of the costs and expenses of the prosecution.

SECTION 531.

In Scotland all prosecutions, complaints, actions, or proceedings under this act, other than prosecutions for felonies or misdemeanors, may be brought in a summary form before the sheriff of the county, or before any two justices of the peace of the county or burgh where the cause of such prosecution or action arises, or where the offender or defender may be for the time, and when of a criminal nature or for penalties, at the instance of the procurator fiscal of court, or at the instance of any party aggrieved, with concurrence of the procurator fiscal of court; and the court may, if it think fit, order payment by the offender or defender of the costs of the prosecution or action.

SECTION 532.

In Scotland all prosecutions, complaints, actions, or other proceedings under this act may be brought either in a written or printed form, or partly written and partly printed, and where such proceedings are brought in a summary form it shall not be necessary in the complaint to recite or set forth the clause or clauses of the act on which such proceeding is founded, but it shall be sufficient to specify or refer to such clause or clauses, and to set forth shortly the cause of complaint or action and the remedy sought; and when such complaint or action is brought in whole or in part for the enforcement of a pecuniary debt or demand, the complaint may contain a prayer for warrant to arrest upon the dependence.

SECTION 533.

In Scotland, on any complaint or other proceeding brought in a summary form under this act being presented to the sheriff clerk or clerk of the peace, he shall grant warrant to cite the defender to appear personally before the said sheriff or justices of the peace on a day fixed, and at the same time shall appoint a copy of the same to be delivered to him by a sheriff officer or constable, as the case may be, along with the citation; and such deliverance shall also contain a warrant for citing witnesses and havers to compear at the same time and place to give evidence and produce such writs as may be specified in their citation; and where such warrant has been prayed for in the complaint or other proceeding, the deliverance of the sheriff clerk or clerk of the peace shall also contain warrant to arrest upon the dependence in common form: Provided always, that where the apprehension of any party, with or without a warrant, is authorized by this act, such party may be detained in custody until he can be brought at the earliest opportunity before any two justices, or the sheriff who may have jurisdiction in the place, to be dealt with as this act directs, and no citation or induciæ shall in such case be necessary.

SECTION 534.

When it becomes necessary to execute such arrestment on the dependence against goods or effects of the defender within Scotland, but not locally situated within the jurisdiction of the sheriff or justices of the peace by whom the warrant to arrest has been granted, it shall be competent to carry the warrant into execution on its being indorsed by the sheriff clerk or clerk of the peace of the county or burgh respectively within which such warrant comes to be executed.

SECTION 535.

In all proceedings under this act in Scotland the sheriff or justices of the peace shall have the same power of compelling attendance of witnesses and havers as in cases falling under their ordinary jurisdiction.

SECTION 536.

The whole procedure in cases brought in a summary form before the sheriff or justices of the peace in Scotland shall be conducted vivâ voce, without written pleadings, and without taking down the evidence in writing, and no record shall be kept of the proceedings other than the complaint, and the sentence or decree pronounced thereon.

SECTION 537.

It shall be in the power of the sheriff or justices of the peace in Scotland to adjourn the proceedings from time to time to any day or days to be fixed by them, in the event of absence of witnesses or of any other cause which shall appear to them to render such adjournment necessary.

SECTION 538.

In Scotland all sentences and decrees to be pronounced by the sheriff or justices of the peace upon such summary complaints shall be in writing; and where there is a decree for payment of any sum or sums of money against a defender, such decree shall contain warrant for arrestment, poinding, and imprisonment in default of payment, such arrestment, poinding, or imprisonment to be carried into effect by sheriffs, officers, or constables, as the case may be, in the same manner as in cases arising under the ordinary jurisdiction in the sheriff or justices: Provided always, that nothing herein contained shall be taken or construed to repeal or affect an act of the fifth and sixth years of William the Fourth, intituled "An act for abolishing, in Scotland, imprisonment for civil debts of small amount."

SECTION 539.

In all summary complaints and proceedings for recovery of any penalty or sum of money in Scotland, if a defender who has been duly cited shall not appear at the time and place required by the citation, he shall be held as confessed, and sentence or decree shall be pronounced against him in terms of the complaint, with such costs and expenses as to the court shall seem fit: Provided always, that he shall be entitled to obtain himself reponed against any such decree at any time before the same be fully implemented, by lodging with the clerk of court a reponing note, and consigning in his hands the sum decerned for, and the costs which had been awarded by the court, and on the same day delivering or transmitting through the post to the pursuer or his agent a copy of such reponing note; and a certificate by the clerk of court of such note having been lodged shall operate as a sist of diligence till the cause shall have been reheard and finally disposed of, which shall be on the next sitting of the court, or on any day to which the court shall then adjourn it.

SECTION 540.

In all summary complaints or other proceedings not brought for the recovery of any penalty or the sum of money in Scotland, if a defender, being duly cited, shall fail to appear, the sheriff or justices may grant warrant to apprehend and bring him before the court.

SECTION 541.

In all cases where sentences or decrees of the sheriff or justices require to be enforced within Scotland, but beyond the jurisdiction of the sheriff or justices by whom such sentences or decrees have been pronounced, it shall be competent to carry the same into execution upon the same being indorsed by the sheriff clerk or clerk of the peace of the county or burgh within which such execution is to take place.

SECTION 542.

No order, decree, or sentence pronounced by any sheriff or justice of the peace in Scotland under the authority of this act shall be quashed or vacated for any misnomer, informality, or defect of form; and all orders, decrees, and sentences so pronounced shall be final and conclusive, and not subject to suspension, advocation, reduction, or to any form of review or stay of execution, except on the ground of corruption or malice on the part of the sheriff or justices, in which case the suspension, advocation, or reduction must be brought within fourteen days of the date of the order, decree, or sentence complained of: Provided always, that no stay of execution shall be competent to the effect of preventing immediate execution of such order, decree, or sentence.

SECTION 543.

Such of the general provisions with respect to jurisdiction, procedure, and penalties contained in this act as are not inconsistent with the special rules herein-before laid down for the conduct of legal proceedings and the recovery of penalties in Scotland, shall, so far as the same are applicable, extend to such last-mentioned proceedings and penalties: Provided always, that nothing in this act contained shall be held in any way to annul or restrict the common law of Scotland with regard to the prosecution or punishment of offences at the instance or by the direction of the lord advocate, or the rights of owners or creditors in regard to enforcing a judicial sale of any ship and tackle, or to give to the high court of admiralty of England any jurisdiction in respect of salvage in Scotland which it has not heretofore had or exercised.

ENACTMENT OF MERCHANT SHIPPING ACT, 1876 (39 & 40 VICT., C. 80), APPLIED.

SECTION 34.

Where under the merchant shipping acts, 1854 to 1876, or any of them, a ship is authorised or ordered to be detained, any commissioned officer on full pay in the naval or military service of Her Majesty, or any officer of the board of trade or customs, or any British consular officer may detain the ship, and if the ship after such detention or after service on the master of any notice of or order for such detention proceeds to sea before it is released by competent authority, the master of the ship, and also the owner, and any person who sends the ship to sea, if such owner or person be party or privy to the offence, shall forfeit and pay to Her Majesty a penalty not exceeding one hundred pounds.

Where a ship so proceeding to sea takes to sea when on board thereof in the execution of his duty any officer authorised to detain the ship, or any surveyor or officer of the board of trade or customs, the owner and master of the ship shall each be liable to pay all expenses of and incidental to the officer or surveyor being so taken to sea, and also a penalty not exceeding one hundred pounds, or, if the offence is not prosecuted in a summary manner, not exceeding ten pounds for every day until the officer or surveyor returns, or until such time as would enable him after leaving the ship to return to the port from which he is taken, and such expenses may be recovered in like manner as the penalty.

[Inclosure B.]

No. 263.] CONSULATE OF THE UNITED STATES,
Victoria, British Columbia, December 28, 1893.

SIR: The fleet of sealing schooners hailing from this port is now ready for the work of the coming season and several of the vessels have already departed. The first one to get away was the *Enterprise*, December 14, and on the same day the *Rosie Olsen* and the *Victoria*. On the 18th the *Umbrina*, the 19th the *Oscar and Hattie*, the 20th the *Casco*, and yesterday the *Dara Seward*. Others will follow in rapid succession, and all expect to be out by February 1.

Those that have gone, except the *Victoria*, took provisions for nine months and do not intend to enter port anywhere, unless compelled to for water or other supplies. The *Victoria* cleared for Yokohama. All the others cleared for the North Pacific, which I suppose would mean either the American or the Russian side. I am assured, however, that all expect to go direct to the Russian side, the restrictions of that Government terminating by their own terms on the 1st of January, 1894. The sealers understand that from that date there will be no obstructions to sealing there, and they dread the complications of this side of the Pacific. In fact they are in doubt as to what the restrictions are in American waters, whether the modus vivendi of this year is still in force and to be continued during 1894, or whether the regulations agreed upon at Paris are to prevail. This doubt and uncertainty will, I think, send almost all of the British Columbian fleet to Russian and

Japan waters. No spears were taken by the departing vessels. They will rely on the same methods of hunting as in the past season. Pay and wages, too, are about the same as last year. There is not the bustle and excitement about the outfitting this time that characterized the preparation of last year, but all the vessels are going to sea, so far as I can learn.

I am, sir, your obedient servant,

LEVI W. MYERS, *Consul.*

Hon. JOSIAH QUINCY,
Assistant Secretary of State, Washington, D. C.

[Inclosure.]

No. 268.] CONSULATE OF THE UNITED STATES,
Victoria, British Columbia, January 24, 1894.

SIR: Since my number 263 was written the following-named sealing schooners of the Victoria fleet have gone to the Japan coast, in addition to those named in that dispatch: *Arietas*, *Walter A. Earle*, *Fawn*, *Agnes McDonald*, *Walter P. Hall*, *City of San Diego*, *Mary Taylor*, *Libbie*, *May Belle*, *Mary Ellen*, *Vira*, *W. P. Sayward*, *Penelope*, *Vera*, *Carlotta G. Cox*, *Triumph*, *Otto*, *E. B. Marvin*, *Sapphire*, *Sadie Turpel*, and *Pioneer*, making 34 in all that have sailed for that coast up to date. Those that have cleared for the North Pacific are the *Beatrice*, *Mascot*, *Favorite*, *Annie C. Moore*, *Labrador*, *Wanderer*, *Saucy Lass*, *Borealis*, *Katherine*, and *Ainoko*, 10 in all.

The total number now at sea is 44. The fleet of 1892 consisted of 65 vessels; that of last year 52, and it will fall short of that figure two or three vessels this year. I do not think the number going out will exceed 50. I note this decrease in the number of vessels as showing the effects of the arbitration of last year, and the growing conviction among owners that the days of unlimited pelagic sealing are at an end.

About the same number of Indians will be employed this year as last, and all hunters will use firearms only. Spears will not be employed.

In 1893 the first vessel of the season cleared from this port on January 12, and the fleet was not all out until the 10th or 15th of March. This year the *Enterprise* left this port on December 14, within two days of a month earlier than last year, and now, January 24, almost the entire fleet is at sea. These facts may suggest the earlier fitting out of patrol vessels this year than last. I speak of the American patrol. The British Government has not yet moved in the matter of sending out patrol vessels, as far as I know, and according to appearances it will be late before anything can be done in that direction.

The suggestion made by officials of the Government here is that the waters to be patrolled, as marked, out by the Parisian regulations, are unnecessarily large, taking in large portions of the Pacific Ocean in which seals are never found in considerable numbers, and never at all except an occasional one in midwinter. Seals, in the season for taking them, are hardly ever found more than 100 miles from the American shore, along which they seek the food banks, and to patrol the vast expanse of deep water indicated is a useless expense. It is also suggusted that, in order to preserve the seal herd, any new regulations that may be adopted by the United States and Great Britain should restrict the number of sealing vessels each Government may commission, say 30 in any one year; and that each vessel so commissioned should restricted as to the number of seals it may take; that each vessel be licensed, the license to be revoked for any willful infraction of the regulations relating to the keeping of the log, report of number of skins, sex, etc.

I send you these suggestions as possible aids in dealing with this difficult and complicated question.

I am, sir, your obedient servant,

LEVI W. MYERS, *Consul.*

Hon. JOSIAH QUINCY,
Assistant Secretary of State, Washington, D. C.

[Inclosure.]

No. 270.] CONSULATE OF THE UNITED STATES,
Victoria, British Columbia, February 15, 1894.

SIR: Since my number 268, of January 24, the following-named sealing schooners of the Victoria fleet have cleared for the North Pacific Ocean: *Rosie Olsen*, *Mermaid*, *Mary Belle*, *Mary Ellen*, *Kate*, *Venture*, and *W. L. Rich*. The entire Victoria fleet is now out, forty-seven vessels in all, and all have cleared for the North Pacific Ocean. Some ten or twelve of the smaller ones will operate along the west coast of Vancouver Island and move northward with the seals as the season advances until the beginning of the close season. Some started for the Japan and Russian coasts via the North Pacific Ocean, and may linger on the way. Others have already arrived on the Asiatic shore. The *Empress of China*, which arrived here to-day from Yokohama February 2, reports that at that date eight or ten American and Canadian schooners had arrived at that port. Six of them were lying there at anchor, and others had gone forward to the fishing grounds. Capt. J. G. Cox, the president of the Victoria Sealers' Association, and who is virtually in control of the organization, went to Yokohama some six weeks ago to study the question of sealing from that standpoint. The Mainichi Shimbun, a newspaper of Yokohama, brought by the *Empress of China*, says: "It is alleged that owners of sealing schooners have been attempting to elude the regulations enacted by agreement between the United States and Great Britian for the protection of the Bering Sea rookeries; the method adopted to escape the penalty of contravention being to register the schooners as Japanese property and hoist the Japanese flag." The paper adds that the Japanese authorities have decided not to lend themselves to any such proceeding, and that instructions to that effect have been sent to the chief of the hokkaids administration. It seems to me the Paris regulations for seal hunting were framed with great good judgment, that they cover the case well, and that they will, at least largely, preserve the herd if they are continued through a series of years. They are not acceptable to Canadian sealers, who, under the modus vivendi, were unrestricted in the number of seals they might slaughter, or whether they were bulls or gravid females; while the Americans were restricted to 7,500 on their own soil and out of their own herd. But that arrangement was plainly too partial to be continued. Either there must be restriction for all or freedom for all, and the Paris conference drew the line faithfully and well.

I am, sir, your obedient servant,

LEVI W. MYERS, *Consul.*

Hon. JOSIAH QUINCY,
Assistant Secretary of State, Washington, D. C.

[Inclosure.]

No. 275.] CONSULATE OF THE UNITED STATES,
Victoria, British Columbia, March 26, 1894.

SIR: The situation here as to seal taking, this year, by the British fleet, is not essentially different from that of last year at the corresponding date. That is, among the sealers, there is the disposition to take the largest liberties possible and to make the most of the uncertainty in the matter of regulations, which they claim exists. Their position is this:

They claim that the modus vivendi is now in force and will be until May 1. When it expires, on that date, the Paris regulations will not take its place, unless they are formally enacted by Great Britain and the United States, prior to that date, and that if the Governments do not so enact, then the practice of sealing will be put back where it was before the modus vivendi was agreed to. In other words, there will be no restrictions on the business in Bering Sea or elsewhere, outside of the usual shore limits. They further say their Government understands the matter as they do, and that they will proceed accordingly.

Members of the sealing fleet say their vessels, on this side of the Pacific, at least, are expected to enter Bering Sea at any time after May 1, and that there is an understanding among owners and masters to this effect. Once in the sea they do not anticipate serious interference on the part of British cruisers. If ordered out by American cruisers, they will obey and obtain damages. It is understood among them, also, that many of the vessels now on the Japan coast will return to Bering Sea, after May 1, provided sealing is not satisfactory on the Japan side.

Capt. J. G. Cox, president of the Victoria Sealers' Association, is still in Japan, giving direction to the fleet in that quarter.

I am, sir, your obedient servant,

LEVI W. MYERS, *Consul.*

Hon. EDWIN F. UHL,
Assistant Secretary of State, Washington, D. C.

NAVY DEPARTMENT, *Washington, April 20, 1894.*

SIR: The Department desires that you will afford the commanding officer of the *Alabatross* such opportunities for pursuing the subject of the life history and migration of the fur seals frequenting the waters of Bering Sea as the exigencies of the service which require that vessel for patrol duty will permit.

Very respectfully, H. A. HERBERT,
Secretary of the Navy.

Commander CHARLES E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea,
Port Townsend, Wash., U. S. S. Mohican.

[Telegram.]

APRIL 20, 1894.

COMMANDING OFFICER REVENUE CUTTER BEAR,
San Francisco, Cal.:

Please report by letter to Commander Clark, steamer *Mohican*, Port Townsend, Wash., for general instructions in regard to patrol duty in Bering Sea this season. These instructions will not interfere with Treasury Department orders requiring the *Bear* to proceed to the Arctic Ocean.

H. A. HERBERT.

NAVY DEPARTMENT, BUREAU OF NAVIGATION,
April 20, 1894.

SIR: The Bureau transmits herewith, for your information, copy of a communication received from the honorable Secretary of the Treasury, marked A; copy of a letter from the commanding officer of the revenue steamer *Rush*, to the honorable Secretary of the Treasury, marked B; copy of a letter from M. L. Washburn to the commanding officer of the revenue steamer *Rush*, marked C, and copy of a letter from the Assistant Secretary of the Treasury to the chief of the Division of Revenue Marine, marked D.

Very respectfully, F. A. COOK,
Acting Chief of Bureau.

Commander CHARLES E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea,
Port Townsend, Wash., U. S. S. Mohican.

[Inclosure A.]

TREASURY DEPARTMENT, *April 13, 1894.*

SIR: I have the honor to transmit herewith copies of a letter dated the 29th ultimo, from Capt. C. L. Hooper, United States Revenue-Cutter Service, and its inclosure in which the request is made that certain vessels named therein which are expected to rendezvous at Nutchuck or Port Etches be furnished with information regarding the law relating to pelagic sealing, also a copy of Department letter of February 2, 1894, giving the names of certain persons who have been authorized to occupy islands in Alaskan waters during the year 1894 for the propagation of foxes.

Respectfully, yours, W. E. CURTIS,
Acting Secretary.

The SECRETARY OF THE NAVY.

[Inclosure B.]

UNITED STATES REVENUE STEAMER RUSH,
Port of San Francisco, March 29, 1894.

SIR: I have the honor to transmit herewith a communication from M. L. Washburn, asking that certain schooners now sealing in the North Pacific Ocean and which will rendezvous at Port Etches about the last of April, be notified of any change in the law or regulations in regard to pelagic sealing.

Very respectfully, C. L. HOOPER,
Captain, Revenue-Cutter Service.

Hon. SECRETARY OF THE TREASURY,
Washington, D. C.

[Inclosure C.]

SAN FRANCISCO, CAL., *March 26, 1894.*

SIR: Before leaving Alaska last fall, the captains of the following vessels engaged in hunting fur seal in the North Pacific, viz, schooners *Nellie Martin*, *Ethel*, *Lydia*, and *Three Brothers*, requesting that they be notified at Port Etches, as soon as any definite orders were issued in the matter of time, flags to be carried, and such other information as would allow them to keep within the strict intention of the law in regard to hunting fur seal in the North Pacific.

As I understand that, as yet no definite instructions have been published. These vessels will call at Nutchuck or Port Etchez about the last of April for instructions, and I would request you to give me information in the matter or refer it to the Department.

These men are all anxious and willing to keep their vessels out of any infringement of the law, and as Port Etches is nearly on the direct route from Sitka to Kodiak, where revenue cutters generally call on their way to Bering Sea, could such arrangements be made for some cutter to call at Port Etches on her way west and notify such vessels as should be there?

Respectfully,

W. L. WASHBURN.

Capt. C. L. HOOPER,
United States Revenue Marine.

[Inclosure D.]

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., February 2, 1894.

SIR: For your information it is stated that under the authority contained in the act of Congress, approved March 3, 1879. entitled, "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1880, and for other purposes," the Department has authorized the persons hereinafter named to occupy the islands in Alaskan waters, specified in each instance, for the propagation of foxes during the year 1894, said privilege being given in consideration of a rental of $100 per annum, which has been paid for the purpose stated. You will please give this information to the officers of the revenue cutters cruising in Alaskan waters:

W. B. Taylor, island of North Semidi, Alaska; Thomas B. Morgan, island of Marmot, Alaska; James C. Redpath, island of Upomak, Alaska; Byron Andrews, island of South Semidi, Alaska, and F. F. Feeney, island of Long Island, Alaska.

Respectfully, yours,
C. S. HAMLIN,
Assistant Secretary.

CHIEF OF THE DIVISION OF REVENUE MARINE,
Treasury Department.

NAVY DEPARTMENT, BUREAU OF NAVIGATION,
April 20, 1894.

SIR: I have to transmit herewith, for your information and guidance, copies of orders dated April 13, issued by the Treasury Department to the commanding officer of the revenue steamer *Corwin*, at San Francisco, Cal.

Very respectfully,
F. A. COOK,
Acting Chief of Bureau.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea,
U. S. S. Mohican, Port Townsend, Wash.

[Inclosure.]

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., April 13, 1894.

SIR: Referring to Department telegram of the 12th instant, directing you to report to the honorable Secretary of the Navy for duty with your command, in connection with the United States naval forces, for the preservation of the fur seals in the Northern Pacific Ocean and Bering Sea, you are informed that in addition thereto it is expected that your command will perform the regular duties of a revenue cutter wherever practicable. You will be diligent in enforcing the laws against the importation of intoxicating liquors and breech-loading rifles, and ammunition therefor, into the Territory.

You will also attend to the enforcement of the provisions of the act of Congress, dated March 2, 1889, relating to the protection of the salmon fisheries of Alaska, which prohibits the erection of dams, barricades, or other obstruction in any of the rivers of Alaska with the purpose or result of preventing or impeding the ascent of salmon or other anadromous species to their spawning grounds.

Herewith is transmitted, for your information, a copy of Department letter of the 2d February last, giving the names of certain parties who have been authorized to occupy the islands specified therein in Alaskan waters for the propagation of foxes in the year 1894, and you will afford the parties named such protection as is extended to other people and property in the settlements of Alaska.

The Department is informed that the schooners *Nellie Martin*, *Ethel*, *Lydia*, and *Three Brothers*, which vessels are engaged in hunting fur seals in the North Pacific, will be at Nutchuck or Port Etches about the last of April, for information as to the law in regard to hunting the fur seal, and you will furnish said vessels with such information as may be in your possession.

You are informed that these orders are considered as secondary to any instructions that may be given to you by the honorable Secretary of the Navy or the senior naval officer commanding the Bering Sea fleet, and are not intended to interfere in the least with your duties in connection with the naval forces.

It is not expected that you or the officers of your command shall be put to any expense on account of the subsistence of any person received on board for transportation.

Further instructions will be sent you in regard to the quantity of coal to be taken on at San Francisco and the procuring of fuel at Dutch Harbor.

Copies of Department circular of April 14, 1893, regarding the killing of the fur-bearing animals in Alaska, and a copy of the contract between the United States and the North American Commercial Company, granting exclusive right to said company to take fur seals on the Pribilof Islands, are inclosed.

Respectfully, yours,
J. G. CARLISLE,
Secretary.

Capt. F. M. MUNGER,
Commanding Revenue Steamer Corwin, San Francisco, Cal.

[Inclosure.]

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., April 13, 1894.

SIR: Referring to Department order of this date, prescribing certain duties to be performed by your command outside of your duties in connection with the naval forces in the North Pacific Ocean and Bering Sea, you are hereby clothed with full power to enforce the law concerning the importation of intoxicating liquors and breech-loading rifles and ammunition therefor into the Territory of Alaska and the law relating to the protection of the salmon fisheries of Alaska.

In this connection your attention is called to Executive order of May 4, 1887, a copy of which is inclosed.

Respectfully, yours,
J. G. CARLISLE,
Secretary.

Capt. F. M. MUNGER,
Commanding Revenue Steamer Corwin, San Francisco, Cal.

[Translation of cablegram.]

WASHINGTON, *April 20, 1894.*

SKERRETT, *Shanghai:*

Send the *Concord* and the *Petrel* to reach Unalaska Fox Islands by June 1, reporting to the commander of Bering Sea fleet. Acknowledge by telegraph.

HERBERT.

NAVY DEPARTMENT, BUREAU OF NAVIGATION,
Washington, D. C., April 21, 1894.

SIR: I have to transmit herewith for your information copy of a communication from the honorable Secretary of the Treasury to the honorable Secretary of State, relative to the sailing of a Norwegian vessel for Bering Sea.

Very respectfully,
F. A. COOK,
Acting Chief of Bureau.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea,
Port Townsend, Wash., U. S. S. Mohican.

[Inclosure.]

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., March 16, 1894.

SIR: I have the honor to state for your information and such action as you may deem proper, that under date of the 15th instant the attorney for the North American Commercial Company advised me that a cablegram had been received by his company from Lampson & Co., of London, to the following effect:

> Norwegian steamer *Fearless* reported leaving via Suez for northwest coast deep-sea sealing; others contemplate doing likewise.

Respectfully, yours,
J. G. CARLISLE,
Secretary.

The SECRETARY OF STATE.

NAVY DEPARTMENT,
Washington, D. C., April 21, 1894.

SIR: Replying to your letter of the 16th instant, transmitting a copy of a letter, dated the 12th instant, from the Commissioner of Education, requesting that Dr. Sheldon Jackson be furnished transportation on any naval vessel returning from Unalaska to Sitka or San Francisco, in the fall, and upon the completion of his tour of inspection of the schools in western Alaska, I have the honor to inform you officials of the Government are only given passage on men-of-war in cases of emergency.

The Department has no appropriation from which to purchase the necessary linen and subsistence for any person received on board of a man-of-war for transportation, and the expenses of any person so carried are borne by the officers of the ship. Whatever linen or supplies there may be on board of any vessel of the Navy are the personal property of the officers attached to her.

The Department regrets being unable to grant the request of the Commissioner of Education, for the reasons mentioned above, and it is not deemed expedient that the movements of the force in Bering Sea should in any way be hampered during the patrol season.

Very respectfully,

H. A. HERBERT,
Secretary of the Navy.

The SECRETARY OF THE INTERIOR.

NAVY DEPARTMENT,
Washington, April 21, 1894.

SIR: You will order the officers and men attached to the vessels under your command not to molest the herd of reindeer upon the islands of Unalaska and Amaknak.

These animals are the property of the Government, and were placed there by the Interior Department.

Very respectfully,

H. A. HERBERT,
Secretary of the Navy.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea,
U. S. S. Mohican, Port Townsend, Wash.

NAVY DEPARTMENT,
Washington, D. C., April 21, 1894.

SIR: Replying to your letter of the 16th instant, transmitting a copy of a letter from the Commissioner of Education dated the 12th instant, I have the honor to inform you that the commanding officer of the Bering Sea squadron has been instructed to direct the officers and men under his command not to molest the reindeer upon the islands of Unalaska and Amaknak.

Very respectfully,

H. A. HERBERT,
Secretary of the Navy.

The SECRETARY OF THE INTERIOR.

[Telegram.]

APRIL 21, 1894.

COMMANDING OFFICER MOHICAN,
Port Townsend, Wash.:

Referring to telegram regarding *Albatross* repairs, Fish Commission work secondary to any orders issued by you. *Albatross* must be ready to sail for Bering Sea May 1.

HERBERT.

[Telegram.]

NAVY DEPARTMENT,
Washington, April 23, 1894.

COMMANDING OFFICER ALERT,
Through Commandant, *Mare Island, Cal.*:

Proceed with *Alert* to Port Townsend, Wash., and report to Commander Clark for duty with vessel under your command.

MCADOO.

NAVY DEPARTMENT,
Washington, D. C., April 23, 1894.

SIR: Referring to telegram of this date, the Department desires that you will direct the commanding officers of the naval vessels under your command to take sufficient coal from Fairhaven mine to reach the coal supply in Bering Sea.

The Department wishes full reports upon the efficiency of this coal.

As this coal emits very black smoke, it is not deemed expedient to use it while the vessels are patrolling Bering Sea.

After reaching the base of coal supply which has been contracted for, you will, as far as practicable, use no other coals.

Very respectfully,

H. A. HERBERT,
Secretary of the Navy.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea,
U. S. S. Mohican, Port Townsend, Wash.

[Translation of telegram.]

WASHINGTON, *April 24, 1894.*

CLARK,
Steamer Mohican, Seattle, Wash.

Detailed secret instructions sent by mail to Port Townsend, Wash., on April 20. Acknowledge by telegraph.

HERBERT.

[Telegram.]

NAVY DEPARTMENT,
Washington, April 24, 1894.

CLARK,
Steamer Mohican, Seattle, Wash.

Patrol vessels ordered to assemble Port Townsend. Use your discretion about coaling *Mohican.*

HERBERT.

NAVY DEPARTMENT,
Washington, D. C., April 24, 1894.

SIR: Before the detachment of the U. S. ships *Concord* and *Petrel* from the force under your command and the return of these vessels to the Asiatic station, please direct a transfer of ammunition from the other vessels to complete their full three years' allowance.

The ammunition supply of vessels making the transfer will be replenished at Mare Island, upon requisition.

Very respectfully,

H. A. HERBERT,
Secretary of the Navy.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea,
U. S. S. Mohican, Port Townsend, Wash.

NAVY DEPARTMENT,
Washington, April 24, 1894.

SIR: There have been transmitted to you charts showing the zone of 60 geographical miles surrounding the Pribilof Islands, referred to in section 1 of the act of Congress approved April 6, 1894. (Exhibit B.)

The curve developed is the locus of the points which are 60 geographical miles (60 to a degree of latitude) distant, inclusive of the territorial waters, from the nearest land of the Pribilof Islands.

Referring to the provisions of the act of Congress, you will regard as prohibited waters all that portion of Bering Sea lying within this curve.

Very respectfully,

H. A. HERBERT,
Secretary of the Navy.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea,
U. S. S. Mohican, Port Townsend, Wash.

NAVY DEPARTMENT,
Washington, April 24, 1894.

SIR: I have the honor to transmit herewith a chart showing the zone of 60 geographical miles surrounding the Pribilof Islands, referred to in section 1 of the act of Congress approved April 6, 1894, and to request that it may be transmitted to the British ambassador at this capital.

The curve developed is the locus of the points which are 60 geographical miles (60 to a degree of latitude) distant, inclusive of the territorial waters, from the nearest land of the Pribilof Islands.

The commanding officer of the force of naval vessels and revenue cutters cruising in Bering Sea, to carry out the provisions of the act of Congress referred to above, will be directed to regard as prohibited waters all that portion of Bering Sea lying within this curve.

Very respectfully, your obedient servant,

H. A. HERBERT,
Secretary of the Navy.

The SECRETARY OF STATE.

NAVY DEPARTMENT,
Washington, April 26, 1894.

SIR: I have the honor to acknowledge, with thanks, the receipt of your letter of the 24th instant, inclosing copy of a dispatch from the United States ambassador at London regarding measures to enforce the award and regulations of the Bering Sea Tribunal of Arbitration.

Very respectfully, your obedient servant,

W. MCADOO,
Acting Secretary of the Navy.

The SECRETARY OF STATE.

NAVY DEPARTMENT,
Washington, April 26, 1894.

SIR: I have to inform you that Commander C. E. Clark, U. S. N., has been detailed to command a force of naval vessels and revenue cutters, which will cruise in and about Bering Sea during the coming season.

This force will be composed of the U. S. ships *Mohican*, *Bennington*, *Alert*, *Ranger*, *Yorktown*, *Adams*, *Concord*, and *Petrel*, the revenue cutters *Corwin*, *Rush*, and *Bear*, and the Fish Commission steamer *Albatross*.

The Department desires that you will give personal attention to the forwarding of the mails to these vessels, after their departure from Bering Sea, and that all mail matter sent care of the pay office in your charge will be promptly and carefully forwarded by every opportunity.

Furnish the Department with the schedules of all steamers leaving the Pacific Coast of the United States and of British Columbia for Sitka and Unalaska.

Inform the Department, by telegram, of the intended departure of any other steamers for these ports.

Very respectfully,

W. MCADOO,
Acting Secretary of the Navy.

Pay Inspector EDWARD BELLOWS, U. S. N.,
Navy Pay Office, San Francisco, Cal.

[Telegram.]

PORT TOWNSEND, WASH., *April 27, 1894.*

SECRETARY OF NAVY,
Washington, D. C.:

Four hundred copies President's proclamation received last week. No copies British act nor printed Navy Department instructions yet received.

CLARK, *Mohican.*

[Telegram.]

PORT TOWNSEND, WASH., *April 27, 1894.*

SECRETARY OF NAVY,
Washington, D. C.:

Instructions referred to in Department's telegram of April 24 received.

CLARK, *Mohican.*

[Telegram.]

PORT TOWNSEND, WASH., *April 27, 1894.*

SECRETARY OF NAVY,
Washington, D. C.:

Corwin reported yesterday; *Mohican*, *Yorktown*, *Corwin*, and *Albatross* ready for sea night of April 30.

CLARK, *Mohican.*

[Telegram.]

PORT TOWNSEND, WASH., *April 28, 1894.*

SECRETARY OF NAVY,
Washington, D. C.:

Five hundred copies of Department's instructions dated April 18 received, but no copies of British act.

C. E. CLARK, *Mohican.*

[Telegram.]

PORT TOWNSEND, WASH., *April 28, 1894.*

SECRETARY OF NAVY,
Washington, D. C.:

Regarding conflict between confidential order and the instructions of the Government same date, will, unless I receive orders to the contrary, give publicity to last and give to captain private information to warn but not to seize vessels outside of Bering Sea.

CLARK, *Mohican.*

[Translation of cablegram.]

YOKOHAMA, *April 28, 1894.*

SECRETARY OF NAVY,
Washington, D. C.:

Will leave May 7 for Unalaska, Fox Islands; due about May 18.

EMORY.

NAVY DEPARTMENT,
Washington, April 28, 1894.

SIR: I have to inform you that the commanding officer of the U. S. S. *Petrel*, has this day notified the Department that he will leave Yokohama for Unalaska, Fox Islands, on the 7th proximo, and will be due at that place about the 18th proximo.

Very respectfully,
F. M. RAMSAY,
Chief of Bureau.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea,
U. S. S. Mohican, Port Townsend, Wash.

[Telegram.]

NAVY DEPARTMENT, BUREAU OF NAVIGATION,
April 30, 1894.

CLARK,
Steamer Mohican, Port Townsend, via Seattle, Wash.:

Copies of British act will be mailed to you to-day.

RAMSAY.

NAVY DEPARTMENT,
Washington, May 1, 1894.

SIR: It has been found expedient, in past years, to land an officer, accompanied by one or more men, with a properly equipped tent, cooking utensils, etc., at Cape Alitak, Kadiak Island, to observe carefully the movements of all vessels entering or passing Alitak Bay, particularly any transfer of cargo to another vessel, and to enter the same in a note book, showing date of arrival, name, rig, and particularities that may serve to identify her. It is suggested that this duty shall be performed by one of the officers of the revenue cutters, as has been the custom in the past.

Very respectfully,

H. A. HERBERT,
Secretary of the Navy.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea,
U. S. S. Mohican, Port Townsend, Wash.

NAVY DEPARTMENT,
Washington, May 1, 1894.

SIR: The Department has been advised of a recently discovered vein of coal at Coal Harbor, Unga Island, Alaska.

Messrs. H. S. and A. G. Tibbey, from that place, request that one of the vessels under your command shall make a test of this coal, and state that it will be ready for delivery whenever called for.

The Department desires, if expedient, that you will order this coal tested, provided that no portion of the force under your command is diverted from the duty which requires its presence in and about Bering Sea.

The Department understands that the amount of coal necessary to make this test is free of cost to the Government.

Very respectfully,

H. A. HERBERT,
Secretary of the Navy.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea,
U. S. S. Mohican, Port Townsend, Wash.

[Telegram.]

NAVY DEPARTMENT, *May 1, 1894.*

CLARK,
Steamer Mohican, Port Townsend, via Seattle, Wash.

Referring to cipher dispatch give number of paragraphs which you consider conflict.

RAMSAY.

[Telegram.]

PORT TOWNSEND, WASH., *May 1, 1894.*

SECRETARY OF THE NAVY,
Washington, D. C.

Bear sails Thursday morning under orders Treasury Department. Instructions provided for in Navy Department's telegram to Captain Healy, dated April 20, have been given him.

CLARK, *Mohican.*

[Telegram.]

WASHINGTON, *May 2, 1894.*

CLARK,
Steamer Mohican, Port Townsend, Wash.:

Referring to orders of April 18, if a vessel is found out of specified limits, but it is evident that she has been hunting, or otherwise violating any of the provisions of the act, within limits, you will seize her. A vessel not within prohibited limits may violate the act by hunting with her boats within such limits. Acknowledge.

HERBERT.

[Telegram.]

PORT TOWNSEND, WASH., *May 2, 1894.*

SECRETARY OF THE NAVY,
Washington:

Paragraph 1, confidential order, dated April 18, and all it refers to, conflicts directly with paragraphs 8, 9, and 10. Paragraph 1 orders seizure of vessels outside of Bering Sea; paragraphs 8, 9, and 10 orders them warned.

CLARK.

[Telegram.]

PORT TOWNSEND, WASH., *May 3, 1894.*

SECRETARY OF THE NAVY,
Washington, D. C.:

Cipher telegram of May 2 received.

CLARK, *Mohican.*

[Confidential.]

NAVY DEPARTMENT,
Washington, May 4, 1894.

SIR: Referring to Department's order of even date, marked A, you will, upon the receipt of telegraphic sailing orders, proceed to sea with the vessels under your command, to cruise in the North Pacific and Bering Sea, to carry out the regulations prescribed to inforce the provisions of the acts of Congress approved April 6 and 24, 1894, of the award, and of the act of the British Parliament.

Copies (500 of each) of the Department's order, marked A, of the

President's proclamation, of the President's regulations governing vessels employed in fur-seal fishing, and of the British act, have been mailed to you at Port Townsend, Wash. To these publications you will give all possible publicity.

From the copies of letters which have been sent you, marked B, from the United States consul at Victoria, British Columbia, to the Department of State, the names of the American and British vessels which have cleared from various ports for Bering Sea during the present season can be obtained.

The collector of customs at Port Townsend, and the United States consul at Victoria, British Columbia, have been instructed to inform you of the sailing of any additional vessels since the letters were written, and to give you any further information in their possession bearing upon the subject of your cruise.

The officers in charge of the branch Hydrographic Office at San Francisco, Port Townsend, and Portland have been directed to give you such information relating to sealers as they may be able to obtain.

The Department has made arrangements to supply the vessels under your command with coal, fresh meat, and vegetables. You have already been advised of the conditions of the contracts for the above-mentioned articles.

You will ascertain, and as far as expedient will follow, the route taken by the sealing fleet to Bering Sea, serving notice of the concurrent regulations for the protection and preservation of the seals upon as many as possible of the sealers. You may find it necessary to send one or more of your vessels ahead in order to overtake the most advanced of the sealing fleet.

The route followed by the sealers is not known with exactness and varies from year to year. It may be expected to be governed by the course of the seal herd, which follows, in a general way, the trend of the coast from Vancouver around to Kadiak, usually within 200 miles of the shore, and thence to the Shumagin Islands and Bering Sea. It will, however, be your duty to inform yourself by every means at your command of the possible route of the sealers and so to shape your course and dispose your ships as to meet and warn the largest number of vessels possible. The time of your arrival at Unalaska is left to your discretion, but it is expected that you will have one vessel at least at that point before the first of the sealers arrives.

The Department expects you, in accordance with accompanying instructions, to serve notice upon every sealer now at sea that she will be seized if she seal within the area of the award during the periods of time therein specified. A complete list of the names of all vessels warned, the locality and date of warning, and the number of seal skins and bodies of seals on board, must be communicated as soon as possible to all United States and British vessels engaged in the duty of enforcing the concurrent regulations, and you will, from time to time, revise said list as new names are added. You will also send to the collectors of United States ports copies of certificates of warning given to United States vessels, and to United States consuls in British ports copies of certificates of warning given to British vessels. These copies should be marked confidential. It is suggested that you have a number of blank certificates of warning published for distribution to the vessels under your command, in order that said certificates may be uniform in language.

If a vessel is hunting seals at any time within the 60-mile zone round the Pribilof Islands, or during the closed time within the limits specified in section 2 of the act as amended, it is immaterial whether the vessel is licensed or not, as such hunting is absolutely prohibited.

About the middle or end of June it is the practice of the sealing vessels to rendezvous at some point outside of Bering Sea, preparatory to entering therein, where they are met by a steamer to which the skins already taken are transshipped. Such transshipment within the waters of the United States is in violation of the revenue laws (Rev. Stats., secs. 2867, 2868). You will carefully examine this statute in order to ascertain your powers thereunder. You will observe that they prescribe certain penalties, viz, the forfeiture of the merchandise so unladen and of the vessel into which it is unladen, together with other penalties.

It should be your endeavor to make such dispositions that you may be enabled to seize, within the waters of the United States, the vessel committing this unlawful act after the skins shall have been taken on board. Having accomplished the seizure, you will send the offending vessel, together with the skins which have been unlawfully laden on board, the guilty parties, and full proofs, in charge of a sufficient force to insure delivery, to the nearest port wherein a court is situated having jurisdiction to try the offense and impose the penalties for the same, and there deliver her to the proper authorities, to be proceeded against under the law. Seized vessels will be sent into port in charge of a commissioned officer of the line of the Navy, a naval cadet of the line division, or of lieutenant of the Unites States Revenue-Marine Service.

Any vessel, of whatever nationality, and whether previously warned or not, that is discovered at any time taking seal within the territorial waters of Alaska will be sent to Sitka, and delivered to the proper officers of the court to be proceeded against under the law. In reference to this, you will be guided by the following provisions of a circular defining section 1956, Revised Statutes, issued by the Treasury Department, April 14, 1893, as follows:

> No fur-bearing animal will be allowed to be killed by persons, other than natives, within the limits of Alaska Territory or in the waters thereof.
>
> The killing by any one of fur seals, except upon the Pribilof Islands by such party or parties as are permitted so to do pursuant to the terms of a contract between the Government of the United States and such party or parties, is prohibited.
>
> White men married to natives and residing within the Territory will not be entitled to the privilege of natives under this order.
>
> The use of nets by the natives in taking sea otter is hereby prohibited.
>
> The master of any vessel having on board skins of otter, mink, marten, sable, fur seal, or other fur-bearing animals, taken in Alaska or Alaskan waters, before unloading the same shall report to the collector of customs at the first port of arrival of such vessel in the United States, and shall file a manifest of such skins with said collector.
>
> Masters of vessels failing to comply with these regulations will be considered as having violated the provisions of section 1956 of the Revised Statutes, and will be liable to the penalties prescribed therein.
>
> It will be the duty of the officers of the United States who may be in the localities where sea otter, mink, marten, sable, or fur seal, or other fur-bearing animals, are taken, or who may have knowledge of any such offense committed, to take all proper measures to enforce the penalties of the law against persons guilty of a violation thereof.

You will be guided by these regulations unless they are modified by subsequent orders from the Treasury Department.

The limit of the jurisdiction of the United States for the purpose of the enforcement of its revenue laws is 4 miles from the shore.

Copies of the contract, marked C, between the United States and the North American Commercial Company, under which said company is granted the exclusive right of taking fur seals upon the Pribilof

Islands in Alaska, have been forwarded to you for your information and guidance.

During the month of June, and perhaps earlier, the sealers will probably be found in the waters south of the Alaskan Peninsula and the Aleutian Islands from the neighborhood of Kadiak to Amukta Pass. Some of them will doubtless attempt to enter the sea at this time. You will direct the movements of your vessels in accordance with the information that you may obtain on this subject.

As soon as you are satisfied that the date has arrived for the entry of the sealers into Bering Sea, you will dispose your vessels to the best advantage for the performance of the duty assigned you. You will be especially careful to guard effectually the passes most frequented by the sealers, and in particular Akutan, Unalga and Unimak passes and the passes between Fox Islands and the Andreanof Group.

The zone in Bering Sea most frequented by the seals and consequently by the sealers is comprised within a line drawn from Amuklite Pass to a point 100 miles due west of the Pribilof Group, thence encircling that group to the northward and eastward at a distance of about 100 miles therefrom, and thence extending southward to the Unimak Pass. It is believed, however, that the seals rarely go more than 75 miles to the northward of the islands, but that to the eastward their wanderings extend from 100 to 150 miles in the direction of Bristol Bay. You will so dispose your vessels in the work of patrolling the sea as to cover as effectually as possible all parts of this zone, taking care the immediate neighborhood of the Pribilof Islands shall under no circumstances be left unprotected, and that a sufficient watch be maintained as long as necessary at the passes of the Aleutian Islands.

Vessels fitted at and legally cleared from Unalaska, carrying native hunters for the purpose of hunting and killing sea otter, are not to be molested while engaged in their legitimate work. This is provided for in section 6 of the act of Congress.

You are authorized to land a small force for the protection of the seals on the rookeries, should you deem such action necessary. You will confer with the United States officials on the islands, and act as far as possible in concert with them in furtherance of the interests of the Government.

The licenses and the distinguishing flag are not required for a vessel hunting for seals except within the waters specified in section 2 of the act of Congress. But an unlicensed vessel which has hunted within the specified limits has committed an offense, and can be seized if she is found afterwards outside those limits.

In order to avoid the hardship which the necessity for returning to port for the license and flag would inflict on sealers which have already sailed, it is intended that all vessels which have cleared before the 1st day of May, 1894, a list of which will be sent you, shall be licensed for the current year, and, further, licenses in blank will be furnished, and the officers in command of the ships connected with the patrol of the North Pacific and Bering Sea will fill up a license, and give it to any sealer they may meet which is mentioned in the list. Special flags will also be sent out and distributed in the same way.

It is to be observed that the seizure of the certificate of registration of a vessel does not mean the taking of the certificate from the captain for examination, but a formal act of seizing it on the ground that an offense has been committed which renders the ship liable to forfeiture.

The act of the British Parliament requires that any vessel of Great Britain which is seized by a United States officer shall be delivered as soon as practicable, with any witnesses and proofs on board, to some naval or revenue officer or other authority of Great Britain. It does not confer any power to seize and retain or indorse the certificate of registry of the ship.

Consequently, that latter power will not be conferred on British officers as regards United States vessels; but if a United States vessel is handed over to you by a British officer, you will seize the certificate, in accordance with the provisions of the act of Congress.

Due economy must be exercised in the expenditure of coal. A mere statement of the number of miles steamed will not be considered as an index of the efficiency of the patrol.

Keep the Department fully informed of your movements by every possible conveyance.

Please furnish the Department with copies of all orders issued by you to the vessels under your command, and copies of all reports made to you by the commanding officers of these vessels.

In order to avoid unnecessary delay, all correspondence from the vessels under your command will be sent direct to the Department, and not through the commander-in-chief of the Pacific station, who at present is at Honolulu.

The Department expects you to exercise the utmost diligence in preventing the taking of seals in Bering Sea during the coming season, and expects from you the exercise of untiring vigilance and a wise discretion.

Please acknowledge the receipt of this communication by telegram.

Very respectfully,

H. A. HERBERT,
Secretary of the Navy.

Commander CHARLES E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea,
U. S. S. Mohican, Port Townsend, Wash.

A.

NAVY DEPARTMENT,
Washington, May 4, 1894.

SIR: Congress having passed acts which were approved April 6, 1894, and April 24, 1894, and the Government of the United States having made arrangements with Great Britain to give effect to the award rendered by the Tribunal of Arbitration at Paris, under the treaty between the United States and Great Britain, concluded at Washington, February 29, 1892, for the purpose of submitting to arbitration certain questions concerning the preservation of fur seals, you are detailed to command a force of naval and revenue vessels to carry out the provisions of the award, of the acts of Congress, and of the President's proclamation dated Washington, D. C., April 9, 1894.

You will order the vessels under your command to warn all American and British vessels they may meet not to engage in fur-seal fishing within the area of the award, during the periods of time in which fur-seal fishing is forbidden, and to deliver to the master of each of such vessels a copy of the President's proclamation, of the act of Congress, approved April 24, 1894, of the President's regulations governing vessels employed in fur-seal fishing, of the British act, and of these instructions.

Whenever a vessel may be warned, the commander of the cruiser, or the customs officer, as the case may be, shall, after making an examination of the vessel, leave with the master of said vessel a certificate showing the date and place of examination, the number of seal skins, and the number of bodies of seals then on board, and shall preserve a duplicate of said certificate. And no officer, subsequently boarding such vessel, shall seize the same, unless he shall be satisfied, as herein provided, that it has committed a violation of law by killing fur seal within the area of the award, subsequent to the 30th day of April, 1894.

Fur-seal fishing is forbidden to all persons mentioned in section one of said act of Congress, to all subjects of Great Britain, to persons owing the duty of obedience to the laws or the treaties of Great Britain, and to all persons belonging to or on board of a vessel of Great Britain, at any time or in any manner whatever, outside of territorial waters, in the waters surrounding the Pribilof Islands within a zone of 60 geographical miles thereof (60 to a degree of latitude) around said islands, inclusive of the territorial waters.

Fur-seal fishing is forbidden during the season extending from May 1 to July 31, both inclusive, in each year, to all persons mentioned in the first section of said act of Congress, and to all subjects of Great Britain, to persons owing the duty of obedience to the laws or the treaties of Great Britain, and to all persons belonging to or on board of a vessel of Great Britain, not only in the zone mentioned in the fourth paragraph of these instructions, but in that part of the Pacific Ocean, including Bering Sea, which is situated to the north of the thirty-fifth degree of north latitude and to the east of the one hundred and eightieth degree of longitude from Greenwich, till it strikes the water boundary between the United States and Russia. This boundary line passes through a point in Bering Straits on the parallel of 65° 30′ north latitude, at its intersection by the meridian which passes midway between the islands of Krusenstern or Ignalook, and the island of Ratmanoff or Noonarbook, and proceeds due north, without limitation, into the same frozen ocean. The same western limit, beginning at the same initial point, proceeds thence in a course nearly southwest, through Bering Straits and Bering Sea, so as to pass midway between the northwest point of the island of St. Lawrence and the southeast point of Cape Choukotski to the meridian of one hundred and seventy-two west longitude; thence, from the intersection of that meridian, in a southwesterly direction, until it strikes the one hundred and eightieth degree of longitude from Greenwich.

Any vessel or person described in the first section of said act of Congress, or any vessel or subject of Great Britain, or person owing obedience to the laws or the treaties of Great Britain, or any person belonging to or on board of any vessel of Great Britain, unauthorized by this act, found to be or to have been engaged in fur-seal fishing within the area of the award, during the periods of time in which fur-seal fishing is forbidden, you will order seized.

If a vessel which appears to be a sealing vessel is found within the area of the award, during the periods of time in which fur-seal fishing is forbidden, you will ascertain whether she is there for the purpose of fur-seal fishing, whether she has been engaged in fur-seal fishing, whether she was carried there by stress of weather, by a mistake during foggy or thick weather, or is there in the ordinary course of navigation making the best of her way to any place. You must judge whether such vessel has been engaged in fur-seal fishing from the presence of seal skins or bodies of seals on board, and from other circumstances and indications. If such vessel is found outside of the area of the award, and it is evident that she has been engaged in fur-seal fishing within said area, and has thus committed an offense, you will order her seized. A vessel may violate the law by her boats fur-seal fishing within said area, while the vessel herself is outside of said area.

The commanding officer making the seizure will, at the time thereof, draw up a declaration in writing, stating the condition of the seized vessel, the date and place of seizure, giving latitude and longitude, and circumstances showing guilt. The seized vessel will be brought or sent, as soon as practicable, with all persons on board thereof, in charge of a sufficient force to insure delivery, together with witnesses and proofs, and the declaration of the officer making the seizure, if American, to the most convenient port of Alaska, California, Oregon, or Washington, and there delivered to the officers of the United States court having jurisdiction to try the offense and impose penalties for the same; and if British, to Unalaska, and there delivered to the senior British naval officer present, or carried to the most convenient port in British Columbia, and delivered to the proper authorities of Great Britain, or delivered to the commanding officer of any British vessel charged with the execution of the award herein referred to.

A signed and certified list of the papers of the seized vessel will be delivered to the master thereof, and a duplicate copy will be transmitted with the declaration.

You will arrange with the commanders of the British vessels engaged in carrying out the provisions of the award for the mutual delivery of vessels of the one country seized by officers of the other.

These instructions will remain in force only during the present season.

Very respectfully,

H. A. HERBERT,
Secretary of the Navy.

Commander CHARLES E. CLARK, U. S. N.,
Commander United States Naval Force in Bering Sea,
U. S. S. Mohican, Port Townsend, Wash.

[PUBLIC—No. 54.]

AN ACT to amend section one of an Act approved April sixth, eighteen hundred and ninety-four, entitled "An act to give effect to the award rendered by the Tribunal of Arbitration, at Paris, under the treaty between the United States and Great Britain, concluded at Washington, February twenty-ninth, eighteen hundred and ninety-two, for the purpose of submitting to arbitration certain questions concerning the preservation of the fur seals."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section one of the act entitled "An act to give effect to the award rendered by the Tribunal of Arbitration, at Paris, under the treaty between the United States and Great Britain concluded at Washington, February twenty-ninth, eighteen hundred and ninety-two, for the purpose of submitting to arbitration certain questions concerning the preservation of the fur seals," approved April sixth, eighteen hundred and ninety-four, be amended by striking out the word "exclusive" where it occurs in said section one and inserting the word "inclusive," so that said section will read: That no citizen of the United States, or person owing the duty of obedience to the laws or the treaties of the United States, nor any person belonging to or on board of a vessel of the United States, shall kill, capture, or pursue, at any time, or in any manner whatever, outside of territorial waters, any fur seal in the waters surrounding the Pribilov Islands within a zone of sixty geographical miles (sixty to a degree of latitude) around said islands, inclusive of the territorial waters.

Approved, April 24, 1894.

REGULATIONS GOVERNING VESSELS EMPLOYED IN FUR-SEAL FISHING.

ARTICLE I.—*Fitness of crews to use arms.*

Before the issuance of a special license, the master of any sailing vessel proposing to engage in fur seal fishing shall produce satisfactory evidence to the collector of customs that the hunters employed by him are competent to use the weapons authorized by law.

ART. II.—*The use of firearms—When prohibited.*

Firearms, nets, or explosives shall not be used for taking or killing fur seals in that portion of Bering Sea described in the act approved April 6, 1894, entitled "An act to give effect to the award rendered by the Tribunal of Arbitration at Paris, under the treaty between the United States and Great Britain, concluded at Washington, February 29, 1892, for the purpose of submitting to arbitration certain questions concerning the preservation of fur seals."

ART. III.—*Vessels now sealing in the North Pacific east of 180° longitude—How to secure safe conduct to home port, or to Bering Sea.*

Any vessel having license to hunt fur seals in the North Pacific and Bering Sea east of 180° longitude may, before entering Bering Sea, or at Unalaska, report to a customs officer of the United States, or an officer of the United States Navy, and have all arms and ammunition therefor on board secured under seal; such seal shall not be broken during the time fur seal fishing is prohibited. In order to protect vessels found within the area of the award between April thirtieth and August first, but which have not violated the law, from improper seizure, or detention, the masters thereof may, by applying to the commander of any cruiser, or to a customs officer, and declaring that she intends to proceed to a home port, have her sealing outfit secured under seal, and the officer placing this seal shall enter the date of the same upon her log book, with the number of seal skins and bodies of seals then on board, and said seal shall not be broken during the time fur-seal fishing is prohibited, except at the home port.

ART. IV.—*Vessels now in the North Pacific west of 180° longitude—How to secure safe conduct to home port, or to Bering Sea.*

Vessels now in Japanese waters or on the Siberian Coast west of 180° longitude, wishing to return to home port, may enter the port of Attou and there have their sealing outfits secured under seal and the fact entered on their log books. Such seal shall not be broken except at her home port, and such seal and entry shall constitute a sufficient protection against *seizure* whilst within the area of the award on their direct passage to such port.

In case a sealing vessel, as described above, shall, before leaving a Japanese port, declare her intention of returning to a port of the United States, the United States consular officers of the port may, upon application of her master, secure her sealing outfit as described above.

Any vessel, as described above, may obtain special license to hunt fur seals in Bering Sea upon application to the United States consular office of any port in Japan, or from the customs officer at Attou, after furnishing the evidence required in Art. I.

ART. V.—*Vessels wishing to hunt fur seals in Bering Sea on and after August 1st—Sealing of outfit, &c.*

Any vessel in a home or foreign port wishing to engage in fur-seal fishing in Bering Sea shall obtain special license for the same from a customs officer of the United States, if in a home port, and from a consular officer, if in a foreign port. Before sailing the sealing outfit of such vessel may be secured under seal, upon application as hereinbefore provided, and the fact noted on her license. Such seal shall not be broken during the time fur-seal fishing is prohibited.

ART. VI.—*Vessels at sea without special license and distinctive flag.*

Vessels now at sea in the pursuit of fur seals and found not to have violated the law in reference to the taking of fur seals, and which have not cleared from any port on or after May 1st, 1894, will not be seized solely on account of not having special license or distinctive flag.

ART. VII.

Every vessel employed in fur-seal fishing as above described, shall have, in addition to the papers now required by law, a special license for fur-seal fishing.

ART. VIII.

Every sealing vessel provided with special license shall show under her national colors a flag not less than four feet square, composed of two equal pieces, yellow and black, joined from the right-hand upper corner of the fly to the left-hand lower corner of the luff, the part above and to the left to be black, and the part to the right and below to be yellow.

ART. IX.

The authority hereinbefore granted to United States consular officers, customs officers, and officers of the United States Navy, may be exercised by like officers in the service of the Government of Great Britain, except in ports of the United States.

NOTICE.

Officers herein authorized to carry out the provisions of the act approved April 6, 1894, entitled "An act to give effect to the award rendered by the Tribunal of Arbitration at Paris, under the treaty between the United States and Great Britain, concluded at Washington, February 29, 1892, for the purpose of submitting to arbitration certain questions concerning the preservation of fur seals," will observe that the objects of the foregoing articles are to prevent the unlawful destruction of seals and to protect from unnecessary seizure or loss sealing vessels already at sea in ignorance of the provisions of the act, or unable to comply strictly with its requirements. Should cases occur which are not here definitely provided for, they must be dealt with by the officers with the above-mentioned objects in view, and as nearly in accordance with the law and regulations as possible.

These regulations are intended to apply only to the closed season of 1894, and are not to be regarded as a complete execution of the authority conferred upon the Executive by the act of Congress.

Approved, May 4, 1894.

GROVER CLEVELAND.

[Telegram.]

WASHINGTON, *May 5, 1894.*

CLARK,
Steamer Mohican, Port Townsend, Wash.:

Secret instructions and public letter of April 18th are revoked. Await further instructions.

MCADOO.

NAVY DEPARTMENT, BUREAU OF NAVIGATION,
Washington, D. C., May 5, 1894.

SIR: Referring to the Department's cipher telegram of this date, revoking its confidential instructions and public letter of April 18, 1894, I have to inform you that said telegram only revokes the confidential instructions dated April 18, 1894, and its inclosures of even date, marked A.

Charts indicating the waters prohibited by the award have already been sent you.

Before sailing from Port Townsend, please leave, in care of the officer in charge of the branch Hydrographic Office at that place, orders for the U. S. ships *Bennington*, *Ranger*, and *Marion*.

It is probable that the latter vessel will be added to the force under your command after her return to the United States.

Very respectfully,

F. M. RAMSAY,
Chief of Bureau.

Commander C. E. CLARK,
Commanding United States Naval Force in Bering Sea,
Port Townsend, Wash., U. S. S. Mohican.

[Telegram.]

PORT TOWNSEND, WASH., *May 5, 1894.*

SECRETARY OF NAVY,
Washington, D. C.:

Telegram of May 5 received. *Bear* sails with the Treasury Department orders only.

CLARK, *Mohican.*

NAVY DEPARTMENT,
Washington, May 7, 1894.

SIR: I have the honor to transmit herewith for your information copy of instructions issued the commanding officer of the Bering Sea fleet, dated May 4, 1894, the Department's instructions, dated April 18, 1894, having been revoked.

Very respectfully, your obedient servant,

W. MCADOO,
Acting Secretary of the Navy.

The SECRETARY OF STATE.

NAVY DEPARTMENT,
Washington, May 7, 1894.

SIR: I have the honor to transmit herewith for your information copy of instructions issued the commanding officer of the Bering Sea fleet, dated May 4, 1894, the Department's instructions, dated April 18, 1894, having been revoked.

Very respectfully, your obedient servant,

W. MCADOO,
Acting Secretary of the Navy.

The SECRETARY OF THE TREASURY.

[Telegram.]

NAVY DEPARTMENT,
Washington, May 8, 1894.

CLARK,
Steamer Mohican, Port Townsend, Wash.:

Direct commanding officer of *Corwin* to detail an officer to perform duties of customs officer at Attou, as required by article 4, President's regulations for sealers, approved 4th instant. Copies of instructions mailed you.

MCADOO.

NAVY DEPARTMENT,
Washington, May 8, 1894.

SIR: Referring to your letter of the 7th instant, I have the honor to inform you that the commanding officer of the Bering Sea fleet has this day been notified by telegram to direct the commanding officer of the revenue steamer *Corwin* to detail an officer of that vessel to perform the duties of a customs officer at the port of Attou.

Very respectfully,

W. MCADOO,
Acting Secretary of the Navy.

The SECRETARY OF THE TREASURY.

NAVY DEPARTMENT, BUREAU OF NAVIGATION,
Washington, May 9, 1894.

SIR: I have to transmit herewith for your information lists of vessels which have cleared to seal in the North Pacific during the season of 1894.

Very respectfully,

F. M. RAMSAY,
Chief of Bureau.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea,
U. S. S. Mohican, Port Townsend.

[Inclosure.—Annex *b* to P. C. 1147, 16th April, 1894.]

List of Canadian vessels sealing on east side of North Pacific Ocean, season 1894.

Vessels.	Tons.	Masters.	Date of clearing.	Port sailed from.
Triumph	98	C. N. Cox	Jan. 6, 1894	Victoria, British Columbia.
Sapphire	109	Wm. Cox	do	Do.
Beatrice	66	D. Macauley	Jan. 11, 1894	Do.
Mascot	40	H. F. Sieward	Jan. 13, 1894	Do.
Favourite	80	L. McLean	do	Do.
Annie C. Moore	115	J. Daley	do	Do.
Labrador	25	J. J. Whiteley	do	Do.
Wanderer	25	H. Paxton	do	Do.
Pioneer	66	W. E. Baker	Jan. 15, 1894	Do.
Saucy Lass	38	R. E. Crowell	Jan. 16, 1894	Do.
Borealis	37	G. Meyer	Jan. 19, 1894	Do.
Katharine	82	J. Gould	Jan. 20, 1894	Do.
Ainoko	75	G. Heater	Jan. 22, 1894	Do.
Kate	58	N. Moos	Jan. 27, 1894	Do.
Shelby Hr	16	F. Jones	Jan. 29, 1894	Do.
Venture	48	J. Mohrhouse	Feb. 2, 1894	Do.
Walter L. Rich	76	S. Balcom	Feb. 6, 1894	Do.
South Bend	21	C. F. Dillon	Mar. 15, 1894	Do.
Minnie	46	V. Jackobson	Mar. 27, 1894	Do.
San Jose	31	M. Foley	Mar. 28, 1894	Do.
Mountain Chief	23	Jamieson	[1]Jan. 11, 1894	Do.
Fisher Maid	21	C. Chipps	[1]Feb. 3, 1894	Do.
C. D. Rand	51			Vancouver, British Columbia.
Kilmeny	19	L. Olsen	Still in port; will clear in a few days.	
Total, 24.				

[1] Coasting.

CUSTOMS, CANADA, VICTORIA, BRITISH COLUMBIA, *March 31, 1894.*

[Annex *c* to P. C. 1147, 16th April, 1894.]

List of Canadian vessels sealing on the Japan coast, season 1894.

Vessels.	Tons.	Masters.	Date of clearing.	Port of sailing.
Enterprise	69	Oscar Scarf	Dec. 14, 1893	Victoria, British Columbia.
Rosie Olsen	39	A. B. Whidden	do	Do.
Umbrinia	99	C. Campbell	do	Do.
Oscar & Hattie	81	T. Magnesen	Dec, 19, 1893	Do.
Diana	50	A. Nelson	Dec. 20, 1893	Do.
Brenda	100	C. E. Locke	Dec. 21, 1893	Do.
Arietis	86	A. Douglas	Dec. 23, 1893	Do.
Casco	63	O. Bucholz	Dec. 26, 1893	Do.
Dora Sieward	94	F. Cole	Dec. 27, 1893	Do.
Walter A. Earle	68	L. Magnussen	Dec. 28, 1893	Do.
Fawn	59	M. Keefe	Dec. 29, 1893	Do.
Agnes McDonald	107	M. Cutler	Dec. 30, 1893	Do.
Walter P. Hall	99	J. B. Brown	do	Do.
Mermaid	73	W. H. Whiteley	Jan. 2, 1894	Do.
City of San Diego	46	M. Pike	Jan. 3, 1894	Do.
Mary Taylor	43	E. F. Robbins	do	Do.
Libbie	93	F. Hackett	do	Do.
May Belle	58	E. Shields	Jan. 4, 1894	Do.
Mary Ellen	63	W. O. Hughes	do	Do.
Viva	92	J. Anderson	do	Do.
W. P. Sayward	60	G. A. Ferey	Jan. 5, 1894	Do.
Penelope	70	L. McGrath	do	Do.
Vera	60	W. Shields	do	Do.
Carlotta G. Cox	76	W. D. Byers	do	Do.
Otto	86	J. McLeod	Jan. 6, 1894	Do.
E. B. Marvin	96	C. J. Harris	do	Do.
Annie E. Paint	82	A. Bissett	do	Do.
Geneva	92	W. A. Leary	Jan. 9, 1894	Do.
Teresa	63	F. Gilbert	do	Do.
Ocean Belle	83	T. O'Leary	Jan. 10, 1894	Do.
Sadie Turpel	56	C. Le Blanc	do	Do.
Beatrice of Vancouver	49			Vancouver, British Columbia.
Maud S	97	R. McKeil		Yokohama, Japan.
Aurora	41			Do.
Total, 34.				

[Telegram.]

PORT TOWNSEND, WASH., *May 9, 1894.*

SECRETARY of NAVY,
Washington, D. C.:

Referring to Department's letter of May 1 about landing an officer at Alitak, several sealers transferred cargoes at same point last year through custom-house, and most of them will undoubtedly go to one of the four ports of entry this year unless orders to collectors, which we can take up, are issued forbidding it.

CLARK, *Mohican.*

U. S. S. MOHICAN (THIRD RATE),
Port Townsend, Wash., May 9, 1894.

SIR: I have the honor to acknowledge the receipt of the Department's letter, dated May 1, 1894, suggesting that an officer and one or more men be landed at Cape Alitak, Kadiak Island, to observe the movements of all vessels entering or passing Alitak Bay with a view of identifying them later, should it ever be necessary.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

The SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.

[Telegram.]

NAVY DEPARTMENT,
Washington, May 10, 1894.

CLARK,
Steamer Mohican, Port Townsend, Wash.:

Replying to telegram of May 9, Department's order of May 1 has no connection with transfer of cargoes in ports of entry. It is for the purpose of detecting vessels which violate provisions of sections 2867 and 2868, Revised Statutes.

MCADOO.

[Telegram.]

NAVY DEPARTMENT,
Washington, May 10, 1894.

CLARK,
Steamer Mohican, Port Townsend, Wash.:

Officer in charge Revenue Marine, Treasury Department, states that they are very short of officers, and as one of the *Corwin's* officers must go to *Attou*, you may send a naval officer to Alitak.

MCADOO.

NAVY DEPARTMENT, BUREAU OF NAVIGATION,
Washington, May 10, 1894.

SIR: I have to inform you that the U. S. S. *Bennington*, which had been assigned to duty with the force under your command, sailed on the 9th instant from San Francisco for Central American waters, under orders from the Department to protect American interests in that locality.

The orders of that vessel to report to you at Port Townsend have been temporarily revoked.

The *Bennington* will be ordered to report to you in Bering Sea as soon as her services can be spared for that duty.

Very respectfully,
F. M. RAMSAY,
Chief of Bureau.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea,
(Care of Navy Pay Office, San Francisco, Cal.)

[Telegram.]

PORT TOWNSEND, WASH., *May 12, 1894.*

SECRETARY NAVY,
Washington, D. C.:

Confidential orders, dated May 4, Department's order of same date, one copy President's regulations, and 500 British acts received; 500 President's regulations and 500 Department's order not yet received.

CLARK, *Mohican.*

[Telegram.]

NAVY DEPARTMENT, BUREAU OF NAVIGATION,
May 14, 1894.

CLARK,
Steamer Mohican, Port Townsend, Wash.:

Petrel sailed from Yokohama for Unalaska 10th instant.

RAMSAY.

NAVY DEPARTMENT,
Washington May 14, 1894.

SIR: I have the honor to acknowledge, with thanks, the receipt of your letter of the 12th instant, transmitting publications relative to the Bering Sea award, which the British ambassador at this Capital requests may be distributed by the United States naval vessels patrolling the waters of the Bering Sea to such British sealers as have not been spoken by one of Her Majesty's ships.

Very respectfully, your obedient servant,
W. McADOO,
Acting Secretary of the Navy.

The SECRETARY OF STATE.

NAVY DEPARTMENT,
Washington, May 15, 1894.

SIR: I have the honor to acknowledge, with thanks, the receipt of your letter of the 12th instant, transmitting copy of a note from the British ambassador at this Capital, inclosing copy of a report of the

Canadian privy council, dated April 16, 1894, to which is appended a list of such British vessels as have cleared from Canadian ports for the sealing grounds during the present season.

Very respectfully, your obedient servant,

W. McAdoo,
Acting Secretary of the Navy.

The Secretary of State.

[Telegram.]

Port Townsend, Wash., *May 15, 1894.*

Secretary of the Navy,
Washington, D. C.:

Five hundred copies President's regulations; 500 copies Department's instructions just received. All ships here and ready for sea.

Clark, *Mohican.*

[Telegram.]

Navy Department, Bureau of Navigation,
May 16, 1894.

Clark,
Steamer Mohican, Port Townsend, Wash.:

Concord sailed from Yokohama for Unalaska to-day.

Ramsay.

[Translation of telegram.]

Washington, *May 16, 1894.*

Clark,
Steamer Mohican, Port Townsend, Wash.:

In addition to instructions contained in paragraph 3 of the printed instructions of May 4, you are instructed additionally that the fact of the vessel having been warned must be entered upon her log. Sail with fleet as soon as possible. Notify the Department of first meeting with the British senior naval officer. Acknowledge.

McAdoo.

[Telegram.]

Port Townsend, Wash., *May 16, 1894.*

Secretary of the Navy,
Washington, D. C.:

Cipher telegram received this evening. Fleet will sail at early daylight. All instructions complied with.

Clark, *Mohican.*

No. 138.] U. S. S. Mohican (Third Rate),
Port Townsend, Wash., May 16, 1894.

Sir: I have the honor to report that, in compliance with cipher telegraphic orders received this evening, the fleet will sail at early daylight (4 a. m. to-morrow), the *Yorktown*, *Adams*, *Alert*, and revenue-cutter *Cor-*

win by the way of the Straits of Juan de Fuca, and this ship, with the *Albatross*, by way of the gulf of Georgia.

Copies of orders, circulars, etc., issued to all vessels, are herewith inclosed and show the destination and cruising ground of each. Those for the *Concord* and *Petrel* will be taken by the *Albatross* to Unalaska, and those for the *Ranger*, *Bennington*, *Marion*, and the revenue-cutter *Rush* have been left, as directed by the Department, with Lieut. H. T. Mayo, United States Navy, in charge of the branch Hydrographic Office at this port, and letters informing each commanding officer that they are there have been mailed.

This ship, after overhauling any sealers that may be found in the bight between Vancouver and Queen Charlotte Islands, outside British limits, will round the southern end of the latter islands, proceed direct to the vicinity of Middleton Island, in the northern part of the gulf of Alaska, and then to Sitka. While on the way back [you] will follow the line of the coast, keeping about 40 miles off, so as to cover the ground between the lines on which the *Alert* and *Corwin* are steering.

Briefly stated, the different vessels are ordered to cruise as follows:

Albatross direct to Unalaska with orders for *Concord* and *Petrel*, then to Attu with Lieut. W. V. E. Jacobs, United States Revenue Marine (to perform custom duties there), and then to guard the Pribilof Islands.

Petrel guarding passes until after June 6, then Pribilof Islands.

Concord cruising between passes and Kadiak Island to intercept the sailing fleet.

Yorktown direct to Sand Point, Shumagin Islands, then to cruise between passes and Kadiak Island, to intercept the sailing fleet.

Adams, *Alert*, *Corwin*, in search of the sailing fleet, going as far to the westward (on lines concentric with curve of the coast and about 30 miles apart) as Kadiak Island, or until obliged to return to port for coal, when proceed direct to Sitka, where orders will be given them.

Ranger, *Rush*, same as *Adams*, *Alert*, and *Corwin*, if they reach Port Townsend by May 30; otherwise direct to Sitka, then to Unalaska.

Bennington, *Marion*, to Sitka, then along the coast to Unalaska.

Any vessel arriving at Unalaska and not finding orders will coal and sail within seventy-two hours, cruise off the passes for ten days, then return for orders.

Pribilof Islands not to be left unguarded when weather will permit vessels to keep their stations.

Accounts having been frequently published, said to come from officers, about the future movements of the ships, I wish to state that all orders, circulars, and anything else that could give information have been type written in the cabin of this ship by Ensigns C. F. Hughes and T. J. Senn, and they alone, besides myself, have had any knowledge of the Department's orders or the nature of the instructions that were being prepared. Both officers have always declined to give any information whatever, and when reporters or others have questioned me I have been careful never to divulge anything regarding the Department's intentions or the nature and limits of the proposed patrol.

Very respectfully,

C. E. CLARK,
Commander, U. S. Navy,
Commanding United States Naval Force in Bering Sea.

The SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.

[Inclosure.]

[A copy has been furnished to the commanding officer of each vessel.]

U. S. S. MOHICAN (THIRD RATE),
Port Townsend, Wash., May 13, 1894.

SIR: I have the honor to inclose herewith, for your information and guidance while cruising in the North Pacific and Bering Sea, copies of the President's proclamation, dated April 9, 1894; of the Regulations Governing Vessels employed in Fur-Seal Fishing, dated May 4, 1894; of the Navy Department's instructions, dated May 4, 1894; of the amendment, approved April 24, 1894; of the British act; of the Treasury Department's circular, No. 56, and of orders and regulations to be carried out on board all vessels in the Bering Sea fleet.

Confidential orders are also inclosed, which you will not divulge until the ship is at sea. By order of the Navy Department you will give all possible publicity to the President's proclamation, to the President's regulations, to the British act, and to the Navy Department's instructions.

If special orders relating to your movements fail to reach you, it should be borne in mind that the object to be obtained during May and the first part of June, or before the seals enter the Bering Sea, is the overtaking of the sealing fleet, and for this reason any commanding officer who believes that he has found the seal herd, and consequently is close to the fleet, will do his utmost to come up with it; and if he gets out of coal will run into the nearest port where it can be obtained, returning as soon as possible to the point where he believes the fleet will be found. While in port, or if it can be done at sea, he will notify other commanding officers and those who by this means, or any other, obtain information concerning the whereabouts of the fleet will (when in their judgment they are near enough to warrant the attempt) endeavor to overtake it. If the fleet is fallen in with near the island of Kadiak and you are nearly out of coal you are authorized to purchase it there, if by so doing you are convinced that the end to be attained will justify your action.

Due economy will be exercised in the expenditure of coal, but vessels will steam at a good rate of speed while running to the northward or searching for the sealing fleet. Having passed the latitude of Sitka, however, they will slow during the night, as directed in Circular to Commanding Officers, No. 1, as sealing vessels might be passed during the darkness.

By order of the Navy Department, vessels using Fairhaven and Blue Canyon coal will make full reports upon results obtained.

Upon returning to port, either Sitka or Unalaska, after each cruise, a report of the same, in duplicate, will be forwarded to me, with a tracing showing the track and position each day at noon; also lists of vessels spoken, boarded, warned, and seized.

It should be remembered that the laws and regulations concerning the shores of Alaska, and which, it will be seen by section 2867, Revised Statutes of the United States, may be extended to 4 leagues from the shore, pertain to the islands of the Aleutian chain that lie to the westward of the limit referred to in article No. 2 of the President's proclamation.

Vessels fitted at and legally cleared from Unalaska carrying native hunters for the purpose of hunting and killing sea otter, are not to be molested while engaged in their legitimate work.

In drawing up "a declaration of seizure," the instructions contained in the Department's order will be strictly followed, and the officer making it should state fully his name, rank, and the duty upon which he is engaged. He should take especial care to show that his knowledge of all the facts certified to was positive and could not be well questioned in the courts.

The following is a list of inclosures:

President's proclamation	copies.
President's instructions	copies.
Amendment	copies.
British act	copies.
Treasury Department's circular, No. 56	1 copy.
Circulars to Commanding Officers, Nos. 1 to 10 inclusive	1 copy (each).
Confidential instructions (under seal)	
List of sealers (British)	1 copy.
List of sealers (American)	1 copy.
Order referring to distinguishing pennants, etc	1 copy.
Pacific Squadron Regulations	copy.
Provision contract	1 copy.
Coal contract	1 copy.
Chart of North Pacific	1 copy.

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

COMMANDING OFFICER UNITED STATES ———.

[Inclosure.]

[Order.]

U. S. S. MOHICAN (THIRD RATE),
Port Townsend, Wash., April 22, 1894.

The following "distinguishing pennants" and "call letters" will be used by the vessels cruising in or about Bering Sea during the coming summer:

The numbers refer to the "distinguishing pennants" in the General Signal Book.

Corwin, No. 1, call letter C. O.
Rush, No. 2, call letter R. U.
Bear, No. 4, call letter B. E.
Alert, No. 16, call letter A.
Yorktown, No. 17, call letter Y.
Petrel No. 18, call letter P.
Adams, No. 20, call letter A. D.
Albatross, No. 32, call letter A. L.
Ranger, No. 33, call letter R.
Mohican, No. 36, call letter M.
Pennington, No. 47, call letter B.
Concord, No. 48, call letter C.

The commanding officers will please direct that two distinguishing pennants of the ship under their command be made, one of which will be sent to this ship. The distinguishing pennants for the revenue cutters will be furnished by this ship.

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

[Inclosure.]

[Circular to Commanding Officers, No. 1.]

U. S. S. MOHICAN (THIRD RATE),
Port Townsend, Wash., April 28, 1894.

The Regulations for the Pacific Squadron, dated March 1, 1894, will be followed and observed on board all vessels as far as circumstances will permit.

After arrival at either Sitka or Unalaska, and having reported to the officer in command of the United States naval force in Bering Sea, vessels will, when meeting, show their distinguishing pennants instead of making their number, the junior hauling down with the senior.

After reporting as above stated, the service dress with the sword may be worn when boarding or making official visits.

Vessels cruising in Bering Sea, or on the way north where sealers may be fallen in with, will, when the weather is fair and the sea smooth enough to allow boats to be lowered in the event of a collision, have all the lights carefully screened. The running lights must, however, be kept burning brightly and the side lights should be in place with screens that could be instantly removed. Having run until vessels not in sight at sunset might be met the speed will be reduced to six knots or less. If near the sealing fleet a further reduction of speed might improve the chances of overhauling them.

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

[Inclosure.]

[Circular to Commanding Officers, No. 4.]

U. S. S. MOHICAN (THIRD RATE),
Port Townsend, Wash., April 30, 1894.

You will order the officers and men attached to the vessel under your command not to molest the herd of reindeer upon the islands of Unalaska and Amaknak [Unimak].

These animals are the property of the Government, and were placed there by the Interior Department.

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

[Inclosure.]

[Circular to Commanding Officers, No. 5.]

U. S. S. MOHICAN (THIRD RATE),
Port Townsend, Wash., May 1, 1894.

All sealing vessels that are seized will be sent into port in charge of a commissioned officer of the line of the Navy, a naval cadet of the line division, or a lieutenant of the United States revenue service. A sufficient force will be put aboard to insure the safe arrival of the seized vessel in port.

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

[Inclosure.]

[Circular to Commanding Officers, No. 6.]

U. S. S. MOHICAN (THIRD RATE),
Port Townsend, Wash., May 1, 1894.

The following information will be obtained when sealing vessels are boarded:

Name of vessel and tonnage; name of master; name of owner; nationality of vessel; port of registry; number of crew (total); number of boats; number of hunters; number of skins on board; number of skins taken; number of female seals killed; number of firearms on board; number of nets on board; number of spears on board; amount of ammunition on board; amount of salt on board; how many days out; probable time of return to port; last port visited; if previously boarded and by whom; any information that may be of interest. The date, latitude, and longitude should be entered in the boarding book.

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

[Inclosure.]

[Circular to Commanding Officers, No. 7.]

U. S. S. MOHICAN (THIRD RATE),
Port Townsend, Wash., May 3, 1894.

The following is an extract from a letter dated April 13, 1894, from the honorable Secretary of the Treasury to Capt. F. M. Munger, commanding U. S. revenue cutter *Corwin.*

The Department is informed that the schooners *Nellie Martin*, *Ethel*, *Lydia*, and *Three Brothers*, which vessels are engaged in hunting fur seals in the North Pacific, will be in Nutchuck or Port Etches about the last of April for information as to the law in regard to hunting fur seals, and you will furnish said vessels with such information as may be in your possession.

It should be remembered that while this notice may have been given in good faith, it might also cover an attempt to reduce the risk of seizure for a vessel found in prohibited waters, or in a port where the custom laws could easily be violated.

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

[Inclosure.]

[Circular to Commanding Officers, No. 8.]

U. S. S. MOHICAN (THIRD RATE),
Port Townsend, Wash., May 9, 1894.

By order of the Navy Department, a vessel outside prohibited waters will be seized, if it is evident that she has committed unlawful acts within them; and she will be seized if her boats commit unlawful acts while she remains outside.

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

[Inclosure.]

[Circular to Commanding Officers, No. 9.]

U. S. S. MOHICAN (THIRD RATE),
Port Townsend, Wash., May 11, 1894.

The Pribilof Islands are not to be left unguarded during the time that the fleet is in Bering Sea, a vessel remaining near each island when the weather will permit, and the senior officer present may, after conferring with United States officials on the islands, land a small force if he deems such action necessary for the protection of the rookeries.

Any commanding officer arriving at the islands on ordinary cruising duty in search of sealers, not finding a vessel at either, will assume the duty of guarding them, ordering, if need be, another to assist until those driven off have returned to their stations.

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

[Inclosure.]

[Circular to Commanding Officers, No. 10.]

U. S. S. MOHICAN (THIRD RATE),
Port Townsend, Wash., May 12, 1894.

The commander of a vessel arriving at Unalaska and not finding any orders, will coal and proceed to sea, if the weather permits, within seventy-two hours, and will cruise off the passes where, in his judgment or that of the senior officer in port at the time of sailing, he is most likely to intercept sealers.

At the end of ten days he will return to Unalaska for orders.

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

[Inclosure—Confidential.]

U. S. S. MOHICAN (THIRD RATE),
Port Townsend, Wash., May 12, 1894.

SIR: Referring to the accompanying instructions, proceed with the vessel under your command to Sand Point direct, where you may obtain information about the sealing fleet, and unless you learn that the advanced vessels have passed the Shumagin Islands or are in the immediate vicinity, you will cruise off shore, making zigzag courses that will carry you to the northward and eastward and across the track of vessels that may be moving with the seal herd, from 10 to 60 miles outside of the line of Kadiak, Cherikof, and the Shumagin Islands.

Continue to cruise in search of sealers until you learn the whereabouts of the fleet, and then so as to enable you to overhaul the greatest number, going to Unalaska for coal when necessary, and returning there again not later than the 18th of June.

Very respectfully,

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

COMMANDING OFFICER U. S. S. YORKTOWN.

[Inclosure—Confidential.]

U. S. S. MOHICAN (THIRD RATE),
Port Townsend, Wash., May 14, 1894.

SIR: Referring to your orders of May 12 to proceed to Sand Point, should it be reported that any sealers have passed the Shumagin Islands you will please attempt to overtake them before turning to the northward and eastward in search of the sealing fleet, but do not go farther to the westward than the Unimak Pass.

Very respectfully,

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

COMMANDING OFFICER U. S. S. YORKTOWN.

[Inclosure—Confidential.]

U. S. S. MOHICAN (THIRD RATE),
Port Townsend, Wash., May 12, 1894.

SIR: Referring to the accompanying instructions, proceed with the vessel under your command direct to latitude 57° 10′ north, longitude 140° west, and from that point steer westerly courses that will keep you approximately on a curve concentric with the trend of the coast line and distant from it about 130 miles until you have only sufficient coal on board to insure reaching Sitka, or until you are as far to the westward as Kadiak Island, when you will proceed to Sitka and coal immediately upon arrival.

These orders are given with the expectation that one or more of the vessels will discover the whereabouts of the sealing fleet, and if it is fallen in with by yourself or any vessel with which you may communicate, you will consider that clause of paragraph No. 1, requiring you to keep on a 130-mile line from shore, revoked, and you will use every exertion to find and overhaul sealing vessels.

The foregoing orders contemplate your reaching Port Townsend by the 30th of May, but should you arrive there later than that date take enough coal at New Whatcom from the Blue Canyon Company to reach Sitka. Coal there immediately, and if you do not receive orders to the contrary sail at once for Unalaska, calling at Sand Point for information, and if sealers are reported in that vicinity cruise in search of them until obliged to go to Unalaska for coal.

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

COMMANDING OFFICER U. S. S. RANGER.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Port Townsend, Wash., May 12, 1894.

SIR: Referring to the accompanying instructions, proceed with the vessel under your command direct to latitude 58° 20′ north, longitude 140° west, and from that point steer westerly courses that will keep you approximately on a curve concentric with the trend of the coast and distant from it about 70 miles, until you have only sufficient coal on board to insure reaching Sitka, when you will proceed to that port direct.

These orders are given with the expectation that one or more vessels will discover the whereabouts of the sealing fleet, and if it is fallen in with by yourself or any vessel with which you may communicate, you will consider that clause of paragraph No. 1, requiring you to keep on a 70-mile line from shore, revoked, and you will use every exertion to find and overhaul sealing vessels.

Should you be able under these conditions to steam as far to the westward as Kadiak Island, call at St. Paul, and if you learn there, or have previously learned, that most of the sealing fleet is in the vicinity or is to the westward of Kadiak, you will continue the search for them along the coast between Kadiak Island and the passes leading into Bering Sea until you are obliged to run to Unalaska for coal. As Kadiak is nearly midway between Sitka and Unalaska, the coal supply on hand would carry you to either point, but if under these instructions you are bound for Unalaska, you are authorized to purchase coal at St. Paul if it can be delivered to you promptly at the anchorage or if you can without risk go to the wharf.

Whether you go to Sitka or Unalaska, coal immediately, and if to the former, proceed under orders that will be left you; if to the latter, cruise off the passes where in your judgment you are most likely to intercept sealing vessels entering the Bering Sea, returning to Unalaska every ten days for coal or orders.

Very respectfully,

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

The COMMANDING OFFICER, U. S. S. ALERT.

[Inclosure—Confidential.]

U. S. S. MOHICAN (THIRD RATE),
Port Townsend, Wash., May 12, 1894.

SIR: Referring to the accompanying instructions, proceed with the vessel under your command direct to latitude 57° 45′ north, longitude 140° west, and from that point steer westerly courses that will keep you approximately on a curve concentric with the trend of the coast line, and distant from it about 100 miles, until you have only sufficient coal on board to insure reaching Sitka, or until you are as far to the westward as Kadiak Island, when you will proceed to Sitka and coal immediately upon arrival.

These orders are given with the expectation that one or more of the vessels will discover the whereabouts of the sealing fleet, and if it is fallen in with by yourself or any vessel with which you may communicate, you will consider that clause of paragraph No. 1 requiring you to keep on a 100 mile line from shore revoked, and you will use every exertion to find and overhaul sealing vessels.

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

COMMANDING OFFICER U. S. S. ADAMS.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Port Townsend, Wash., May 12, 1894.

SIR: Referring to the accompanying instructions, you are hereby ordered to cruise with the vessel under your command, in such a way as to guard most effectively the Akutan, Unalga, and Unimak Passes, and those between the Fox and the Andreanoff Group, coaling at Unalaska when necessary.

If from information at Unalaska or elsewhere you believe the sealers coming from the westward can be intercepted, you are authorized to cruise where in your judgment this service may be best performed.

You will please return to Unalaska by the 6th of June, coal immediately, and proceed to the Pribilof Islands, which you will regard as your station until relieved by another vessel, or until obliged to return to Unalaska for coal. When in the vicinity of the islands, you will be governed by the instructions contained in Circular No. 2.

Very respectfully,

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

The COMMANDING OFFICER U. S. S. PETREL.

[Inclosure—Confidential.]

U. S. S. MOHICAN (THIRD RATE),
Port Townsend, Wash., May 12, 1894.

SIR: Referring to the accompanying instructions, you will proceed with the vessel under your command direct to Unalaska, and upon your arrival report to the senior officer present, but should neither the *Concord* nor *Petrel* have arrived, leave their instructions at the post-office, Iliuliuk, and letters to each of the commanding officers with the agent of the North American Commercial Company at Dutch Harbor, telling them that you have done so. Coal and sail immediately for Attu, where you will land Lieutenant Jacobs, United States Revenue Marine, and then return to Unalaska. Both going out and returning you will endeavor to be off the principal passes at daylight, so as to improve the chances of intercepting sealing vessels coming from the westward that may attempt to enter Bering Sea.

On your return to Unalaska, coal immediately and proceed to the Pribilof Islands, which you will regard as your station until relieved by another vessel, or until obliged to return to Unalaska for coal. While in the vicinity of the islands you will please conform to the instructions contained in Circular No. 9.

Report to me by letter every opportunity, directing to Sitka until June 1, and after that to Unalaska.

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

COMMANDING OFFICER U. S. F. C. S. ALBATROSS.

[Inclosure—Confidential.]

U. S. S. MOHICAN (THIRD RATE),
Port Townsend, Wash., May 16, 1894.

SIR: Telegraphic information of the sailing of the *Concord* and *Petrel* for Unalaska having been received, you will please, when orders to get under way are given, proceed to that port with as much dispatch as is consistent with the care that should be taken in the expenditure of coal to insure arrival.

Very respectfully,

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

COMMANDING OFFICER U. S. F. C. S. ALBATROSS.

[Inclosure—Confidential.]

U. S. S. MOHICAN (THIRD RATE),
Port Townsend, Wash., May 12, 1894.

SIR: Referring to the accompanying instructions, you are hereby ordered to proceed with the vessel under your command to a point 10 miles southwest (per compass) from the southern end of the Queen Charlotte Islands, and from there you will follow the general western shore line of the islands and mainland of Alaska, keeping as near during the daytime as is consistent with safe navigation, until you have only sufficient coal on board to insure a return to Sitka, or until you are as far to the westward as Kadiak Island, when you will proceed to Sitka and coal immediately upon arrival.

These orders are given with the expectation that one or more vessels will discover the whereabouts of the sealing fleet, and if it is fallen in with by yourself, or any vessel with which you may communicate, you will consider that clause of paragraph No. 1, requiring you to keep on the coast line, revoked and you will use every exertion to find and overhaul sealing vessels.

Should you nearly approach Port Etches, you will carry out the instructions from the honorable Secretary of the Treasury relating to vessels that may call there for information.

Seize any vessel violating the laws or custom regulations, and make careful inquiries concerning vessels that may enter our waters for the purpose of transshipping cargoes illegally.

Should you hear of such an act, or of its being attempted, seize the vessel or vessels offending and send them to Sitka with a sufficient force on board to insure delivery. The instructions contained in Circular No. 8 are to be regarded as applicable to cases of this kind.

Very respectfully,

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

COMMANDING OFFICER U. S. REVENUE CUTTER CORWIN.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Port Townsend, Wash., May 14, 1894.

SIR: As you will, in carrying out the instructions already given you, pass close to the roadstead at Sitka, please proceed there with dispatch, coal, and then continue to cruise as ordered.

Very respectfully,

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

COMMANDING OFFICER U. S. REVENUE CUTTER CORWIN.

[Inclosure—Confidential.]

U. S. S. MOHICAN (THIRD RATE),
Port Townsend, Wash., May 12, 1894.

SIR: Referring to the accompanying instructions, proceed with the vessel under your command direct to latitude 56° 35′ north, longitude 140° west, and from that point steer westerly courses that will keep you approximately on a curve concentric with the trend of the coast line, and distant from it about 160 miles, until you have only sufficient coal on board to insure reaching Sitka, or until you are as far to the westward as Kadiak Island, when you will proceed to Sitka and coal immediately upon arrival.

These orders are given with the expectation that one or more of the vessels will discover the whereabouts of the sealing fleet, and if it is fallen in with by yourself, or any vessel with which you may communicate, you will consider that clause of paragraph No. 1, requiring you to keep on a 160-mile line from shore revoked, and you will use every exertion to find and overhaul sealing vessels.

The foregoing orders contemplate your reaching Port Townsend by the 30th of May, but should you arrive here later, coal if necessary, and proceed direct to Sitka. Coal there immediately and sail for Unalaska, following the coast line. Seize any vessel violating the laws or customs regulations, and make careful inquiries concerning vessels that may enter our waters for the purpose of transshipping cargoes illegally.

Should you hear of such an act or of its being attempted, seize the vessel or vessels offending and send them to Sitka with a sufficient force on board to insure delivery. The instructions contained in Circular No. 8, are to be regarded as applicable to cases of this kind.

Very respectfully,

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

The COMMANDING OFFICER U. S. REVENUE CUTTER RUSH.

[Inclosure.]

[Confidential; copy furnished the commanding officer of each vessel under seal.]

U. S. S. MOHICAN (THIRD RATE),
Port Townsend, Wash., May 13, 1894.

SIR: When you fall in with a vessel, whether American or British, that is, has been, or evidently will be engaged in fur-seal fishing within the limits specified in the President's proclamation dated April 9, 1894, and she has been previously warned, or has after being warned remained outside and sent her boats inside of those limits for sealing purposes, or has cleared from port after the 30th of April, 1894, you will seize her.

You will then proceed in accordance with the directions contained in paragraph No. 7, Navy Department's instructions, dated May 4, 1894.

Under other circumstances you will warn the master of the vessel overhauled that she will be seized if she is again found sealing within the specified limits or where suspicion as to either acts or intents would attach to her.

When a vessel is warned, whether American or British, you will have all her arms and other implements for sealing and all ammunition and explosives on board secured under seal. You will then give her a certificate of warning and a license to proceed to a home port or one to hunt fur seals, made out in accordance with the forms furnished you.

You will send to the collectors of United States ports copies of certificates of warning given to United States vessels, and to United

States consuls in British ports copies of those given to British vessels. These copies should be marked confidential.

"A complete list of all vessels warned, the locality and date of warning, and the number of seal skins on board must be communicated as soon as possible to all United States and British vessels engaged in the duty of enforcing the concurrent regulations."

A warning may be indorsed on the register of an American vessel, but not on that of a British vessel. With the latter it should be entered in the log book under the columns for the day and a note should be made under those for the 1st of May, stating where the warning would be found. The register of a British vessel must not be taken unless she is seized for a violation of law or regulations within our territorial limits, and these may be considered to extend to four leagues from the shore.

As much of the foregoing appears to conflict in a measure with a strict interpretation of the instructions from the Navy Department, dated May 4, 1894, and may cause you to feel that there has perhaps been some misconstruction of orders, I will inform you that in confidential instructions from the honorable Secretary of the Navy, dated May 4, 1894, but superseding the open instructions of the same date, since the latter are referred to in them, the following among others occur:

"You will ascertain and as far as expedient will follow the route taken by the sealing fleet to Bering Sea, serving notice of the concurrent regulations for the protection and preservation of the seals upon as many as possible of the sealers. You may find it necessary to send one or more of your vessels ahead in order to overtake the most advanced of the sealing fleet."

"The route followed by the sealers is not known with exactness, and varies from year to year. It may be expected to be governed by the course of the seal herd which follows, in a general way, the trend of the coast from Vancouver around to Kadiak, usually within 200 miles of the coast, and thence to the Shumagin Islands and Bering Sea. It will, however, be your duty to inform yourself by every means at your command of the possible route of the sealers and so to shape your course and dispose your ships as to meet and warn the largest number of vessels possible. The time of your arrival at Unalaska is left to your discretion, but it is expected that you will have one vessel at least at that point before the first of the sealers arrive."

"The Department expects you, in accordance with the accompanying instructions to serve notice upon every sealer now at sea, that she will be seized if she seals within the area of the award during the periods of time therein specified."

Very respectfully, C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Forces in Bering Sea.

[Inclosure.]

[Circular to Commanding Officers, No. 2.]

U. S. S. MOHICAN (THIRD RATE),
Port Townsend, Wash., May 13, 1894.

When boarding sealing vessels the instructions contained in confidential orders, dated May 13, 1894, will be followed, and you will deliver to the masters of vessels boarded a copy of the President's proclama

tion, dated April 9, 1894; a copy of the regulations issued by the President May 4, 1894; a copy of the Navy Department's instructions, dated May 4, 1894, and a copy of the British act; also a certificate of warning; a license to proceed to home port, or a license to hunt fur seals in Bering Sea, the last three to be in the forms following:

WARNING.

U. S. S. ——— ———,
Latitude ———, *Longitude* ———, ———, *1894.*

You are hereby warned that your vessel will be seized for any violations of the conditions imposed in the President's proclamation, dated April 4, 1894; in the regulations issued by the President May 4, 1894; or in the British act, copies of each having been furnished you.

To ———, master,
[Name of vessel.]

——— ———,
———, *U. S.* ——, *Commanding.*

[Declaration to be signed by masters of sealing vessels bound to home port and retained by the officer granting license.]

AT SEA, *Latitude* ———, *Longitude* ———, ———, *1894.*

I, ———, master of the ———, —— tons register, register No. ——, cleared from ———, do hereby certify that the firearms, sealing implements, and ammunition, viz, ———, placed under seal, are all that belong to this vessel, or to any person attached to her, and that there are none now away in boats; also that there are now on board in all —— seal skins and —— bodies of seals.

And I do further certify that I wish to proceed direct to the port of ———, and that I understand the liabilities and penalties imposed for failure to so proceed.

[License given to masters of vessels intending to proceed to home port.]

U. S. S. ——— ———,
At Sea, Latitude ———, *Longitude* ———, ———, *1894.*

This is to certify that ———, master of the ———, —— tons register, register No. ———, cleared from ———, with ——— seal skins and ——— bodies of seals on board, has signed a declaration, stating that he intends to proceed direct to the port of ———, and that I have, in accordance with the requirements of the regulations issued by the President May 4, 1894, secured under seal all arms, ammunition, and sealing implements on board.

And I do further certify that there has been entered upon the log book, under the columns for this date, the number of seal skins, bodies of seals, firearms, nets, and the amount of ammunition and explosives found on board.

The master is hereby licensed to proceed to the above-named port.

——— ———, *Commanding.*

[Declarations to be signed by masters of sealing vessels applying for a license to hunt fur seals in the Bering Sea, to be retained by officer granting license.]

AT SEA, *Latitude* ———, *Longitude,*———, ———, *1894.*

I, ———, master of the ———, ——— tons, registered No. ——, cleared from ———, do hereby certify that the firearms, sealing implements, and ammunition, viz, ——— ———, placed under seal, are all that belong to this vessel, or to any person attached to her, and that there are none now away in boats; also that there are now on board in all —— seal skins and —— bodies of seals.

And I do further certify that I desire a license to hunt fur seals in Bering Sea, and that I understand all the restrictions imposed by the President's proclamation, by the President's regulations, and by the British act, and the penalties that follow a violation of them.

[License given to masters of vessels applying for permission to hunt fur seals in Bering Sea.]

U. S. S. ———,
At Sea, Latitude ———, *Longitude* ———, ———, *1894.*

This is to certify that ———, master of the ———, ——— tons, register No. ——, cleared from ———, with ——— seal skins and —— bodies of seals on board, has signed a declaration stating that he desires permission to hunt fur seals in Bering Sea, under the conditions provided in the President's proclamation, dated April 9, 1894, and in the regulations issued by the President, May 4, 1894.

And I do further certify that he has satisfied me that the hunters employed by him are competent to use the weapons authorized by law, that I have secured under seal all arms, ammunition, and sealing instruments, and that there has been entered upon the log of the vessel, under the columns for this date, the number of seal skins, bodies of seals, firearms, ammunition, nets, and the amount of ammunition and explosives found on board.

The master is hereby licensed to hunt fur seals in Bering Sea.

——— ———,
———, *U. S.* ———, *Commanding.*

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Port Townsend, Wash., May 14, 1894.

SIR: By direction of the honorable Secretary of the Navy I forward you herewith letters and packages addressed to the commanding officers of the *Ranger*, *Bennington*, and *Marion*, and the revenue cutter *Rush*, which please deliver immediately as they arrive.

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

Lieut. H. T. MAYO, U. S. N.,
Branch Hydrographic Office, Port Townsend, Wash.

[Inclosure.]

[Similar letters have been addressed to the commanding officers of the *Bennington*, *Marion*, and revenue cutter *Rush*.]

U. S. S. MOHICAN (THIRD RATE),
Port Townsend, Wash., May 14, 1894.

SIR: I have the honor to inform you that your orders, and several packages containing charts, etc., have been left with Lieut. H. T. Mayo, United States Navy, in charge of the branch Hydrographic Office, Port Townsend.

Very respectfully,
C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

COMMANDING OFFICER U. S. S. RANGER.

[Inclosure—Confidential.]

U. S. S. MOHICAN (THIRD RATE),
Port Townsend, Wash., May 14, 1894.

SIR: If upon your arrival at Port Townsend you have not sufficient coal to reach Sitka, proceed to New Whatcom, where coal will be furnished you by the Blue Canyon Company, at the rate of $3.50 per ton. Telegraph the company the time of your expected arrival and the amount of coal you will want, as there might be delays in getting it from the mines. Coal at Sitka and sail immediately for Unalaska, following the coast line, calling at St. Paul and Alitak Bay, Kadiak Island, and at Sand Point, Shumagin Islands, for information concerning vessels that may have violated or may intend to violate any law or customs regulation.

You will be governed in your movements by the instructions contained in circular to commanding officers, No. 2, and will endeavor to seize any vessel or vessels that offend in the manner referred to.

Very respectfully,

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Forces in Bering Sea.

COMMANDING OFFICER U. S. S. BENNINGTON.

[Inclosure—Confidential.]

U. S. S. MOHICAN (THIRD RATE),
Port Townsend, Wash., May 14, 1894.

SIR: If upon your arrival at Port Townsend you have not sufficient coal to reach Sitka, proceed to New Whatcom, where coal will be furnished you by the Blue Canyon Company, at the rate of $3.50 per ton. Telegraph the company the time of your expected arrival and the amount of coal you will want, as there might be delays in getting it from the mines. Coal at Sitka and sail immediately for Unalaska following the coast line, calling at St. Paul and Alitak Bay, Kadiak Island, and at Sand Point, Shumagin Islands, for information concerning vessels that may have violated or may intend to violate any law or customs regulation.

You will be governed in your movements by the instructions contained in circular to commanding officers, No. 2, and will endeavor to seize any vessel or vessels that offend in the manner referred to.

Very respectfully,

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

COMMANDING OFFICER U. S. S. MARION.

[Inclosure—Confidential.]

[Circular to Commanding Officers, No. 3.]

U. S. S. MOHICAN (THIRD RATE),
Port Townsend, Wash., May 14, 1894.

The following extract from confidential orders, and which will therefore be regarded by you as confidential, are furnished for your information and guidance while cruising on the coast of Alaska or near the islands:

> About the middle or end of June, it is the practice of the sealing vessels to rendezvous at some point outside of Bering Sea, preparatory to entering therein, where they are met by a steamer, to which the skins already taken are transshipped. Such transshipment within the waters of the United States is in violation of the revenue laws (Rev. Stat., secs. 2867, 2868). You will carefully examine this statute in order to ascertain your powers thereunder. You will observe that they prescribe certain penalties, viz, the forfeiture of the merchandise so unladen, and of the vessel into which it is unladen, together with other penalties.
>
> It should be your endeavor to make such dispositions that you may be able to seize, within the waters of the United States, the vessel committing this unlawful act after the skins shall have been taken on board. Having accomplished the seizure,

you will send the offending vessel, together with the skins which have been unlawfully laden on board, the guilty parties, and full proofs, in charge of a sufficient force to insure delivery to the nearest port wherein a court is situated having jurisdiction to try the offense and impose the penalties for the same, and there deliver her to the proper authorities, to be proceeded against under the law. Seized vessels will be sent into port in charge of a commissioned officer of the line of the Navy, a naval cadet of the line division, or of a lieutenant of the United States Revenue-Marine Service.

Any vessel of whatever nationality, and whether previously warned or not, that is discovered at any time taking seals within the territorial waters of Alaska will be sent to Sitka and delivered to the proper officers of the court, to be proceeded against under law.

The limits of the jurisdiction of the United States for the purpose of the enforcement of its revenue laws, is four leagues from the shore.

In reference to this you will be guided by the provisions of circular No. 56, defining section 1956, Revised Statutes, issued by the Treasury Department, April 14, 1893.

A copy of the circular referred to has been furnished you.

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

[Inclosure.]

[Circular to Commanding Officers, No. 11.]

U. S. S. MOHICAN (THIRD RATE),
Port Townsend, Wash., May 14, 1894.

Instructions received from the Navy Department require that the distinctive flag provided for in article 8 of the President's proclamation shall be furnished to sealers to whom a license is given. Therefore you will please, from the material sent you from this ship, make and keep on hand a sufficient number of these flags to meet requirements.

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

[Inclosure—Confidential.]

U. S. S. MOHICAN (THIRD RATE),
Port Townsend, Wash., May 14, 1894.

SIR: I have the honor to inform you, that in compliance with instructions from the Navy Department, an officer, with two or more men, will be landed at Cape Alitak, Kadiak Island, with a properly equipped tent, cooking utensils, etc., to observe carefully the movements of all vessels entering or passing Alitak Bay, particularly any transfer of cargo to another vessel, and to enter the same in a notebook, showing date of arrival, name, rig, and peculiarities that may serve to identify her.

As the *Concord* has more officers than any other vessel in the squadron, you will please detail one for this duty, and will, unless diverted by the pursuit of sealers, proceed direct to Alitak Bay and land the officer selected, before you begin to cruise in search of the sealing fleet.

Very respectfully,

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

COMMANDING OFFICER U. S. S. CONCORD.

[Inclosure—Confidential.]

U. S. S. MOHICAN (THIRD RATE),
Port Townsend, Wash., May 11, 1894.

SIR: Referring to the accompanying instructions, you are hereby ordered to proceed with the vessel under your command to the vicinity of Kadiak Island, where you will cruise in search of the sealing fleet, calling at Sand Point and such other places as you deem advisable, to obtain information.

Should you learn the whereabouts of the fleet or discover seals in such numbers that you believe the herd has been found, you will use every exertion to find and overhaul sealing vessels.

You will please return to Unalaska by the 16th of June, and if neither the *Albatross* nor *Petrel* has sailed for the Pribilof Islands, proceed there and carry out the instructions contained in Circular No. 9. If they have sailed you will cruise off the passes from Unimak to Amukta, where in your judgment you are most likely to intercept sealing vessels attempting to enter Bering Sea.

You will please report to me by letter at every opportunity, directing to Sitka up to June 1, and after that to Unalaska.

Very respectfully,

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

COMMANDING OFFICER U. S. S. CONCORD.

NAVY DEPARTMENT,
Washington, May 17, 1894.

SIR: I have the honor to inform you that a telegram has been received from the commanding officer of the Bering Sea fleet, notifying this Department that the fleet under his command would sail at daylight to-day.

Very respectfully, your obedient servant,

W. MCADOO,
Acting Secretary of the Navy.

The SECRETARY OF STATE.

[Telegram.]

NAVY DEPARTMENT,
Washington, May 17, 1894.

COMMANDING OFFICER RANGER,
(Through commandant, Mare Island, Cal.):

Proceed immediately, with *Ranger*, to Port Townsend. Bering Sea orders await you there.

MCADOO.

NAVY DEPARTMENT,
Washington, May 17, 1894.

SIR: Referring to your letter of the 7th instant, I have the honor to request that the blanks and such other articles as it may be necessary to furnish the officer of the *Corwin*, who is detailed to perform the duties of customs officer of Attu, may be forwarded, as soon as practicable, to Commander C. E. Clark, U. S. N., commanding United States naval force in Bering Sea, to Unalaska.

Very respectfully,

W. McAdoo,
Acting Secretary of the Navy.

The Secretary of the Treasury,
Washington, D. C.

Navy Department,
Washington, May 19, 1894.

Sir: Referring to paragraph 24 of the Department's confidential instructions of the 4th instant, please direct the commanding officers of the force under your command to comply strictly with the requirements of paragraph 9, article 1607, of the United States Navy Regulations.

The reports of the operations of the force, which refer to the duty performed by each ship in carrying out the provisions of the award, must, if practicable, contain no reference to other matters.

Very respectfully,

W. McAdoo,
Acting Secretary.

Commander Charles E. Clark, U. S. N.,
Commanding United States Naval Force in Bering Sea,
U. S. S. Mohican.
(Care of Navy Pay Office, San Francisco.)

Navy Department, Bureau of Navigation,
Washington, May 22, 1894.

Sir: Replying to your letter, No. 113, of the 10th instant, to the honorable Secretary of the Navy, I have to inform you that on the 19th instant, twenty-five copies of special licenses for sailing vessels for the use of the officer detailed to perform the duties of customs officer at Attu were forwarded you to Unalaska.

Very respectfully,

F. M. Ramsay,
Chief of Bureau.

Commander C. E. Clark, U. S. N.,
Commanding United States Naval Force in Bering Sea.
(Care of Navy Pay Office, San Francisco, Cal.)

Navy Department, Bureau of Navigation,
Washington, May 22, 1894,

Sir: I have to transmit herewith for your information copies of instructions issued the commanding officer of the revenue steamer *Bear*, by the honorable Secretary of the Treasury.

Very respectfully,

F. M. Ramsay,
Chief of Bureau.

Commander Charles E. Clark, U. S. N.,
Commanding U. S. Naval Force in Bering Sea,
U. S. S. Mohican.
(Care of Navy Pay Office, San Francisco.)

[Inclosure—Telegram.]

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., April 16, 1894.

Captain HEALY,
Revenue Steamer Bear, San Francisco, Cal.:

By direction of the President you will report, by telegraph, to honorable Secretary of the Navy for temporary duty with your command after September 1st, and you will perform prior to that date such duty under instructions he may give as can properly be performed without interfering with Arctic cruise under orders to be issued by this Department.

J. G. CARLISLE, *Secretary.*

[Inclosure.]

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., April 20, 1894.

SIR: Referring to Department telegram of the 16th instant, directing you to report to the honorable Secretary of the Navy for duty with your command after the 1st of September next, etc., in connection with the United States naval forces, for the preservation of the fur seals in the Northern Pacific Ocean and Bering Sea, you are informed that in addition thereto it is expected that your command will perform the regular duties of a revenue cutter wherever practicable.

You will be diligent in enforcing the laws against the importation of intoxicating liquors and breech-loading rifles, and ammunition therefor, into the Territory of Alaska.

You will also attend to the enforcement of the provisions of the act of Congress, dated March 2, 1889, relating to the protection of the salmon fisheries of Alaska, which prohibits the erection of dams, barricades, or other obstruction in any of the rivers of Alaska, with the purpose or result of preventing or impeding the ascent of salmon or other anadromous species to their spawning grounds.

Herewith is transmitted for your information a copy of Department letter of the 2d of February last, giving the names of certain parties who have been authorized to occupy the islands specified therein in Alaskan waters for the propagation of foxes during the year 1894, and you will afford the parties named such protection as is extended to other people and property in the settlements of Alaska.

The Department is informed that the schooners *Nellie Martin*, *Ethel*, *Lydia*, and *Three Brothers*, which vessels are engaged in hunting fur seals in the North Pacific, will be at Nutchuck or Port Etches about the last of April for information as to the law in regard to hunting the fur seal, and should you fall in with any of these vessels you will furnish them with such information as may be in your possession.

Herewith is transmitted for your information copy of a letter from the secretary and assistant manager of the North American Transportation and Trading Company, regarding illicit distilling on the Yukon River, and you will take such action in relation thereto as in your judgment may be necessary with a view to discontinuing the distilling referred to.

You will leave Port Townsend with your command as soon as practicable and proceed to Unalaska via Prince Williams Sound, Cooks Inlet, Afognak, Karluk, and Unga, for the purpose of breaking up a distillery reported to be at Orea, Prince Williams Sound, and to enable Dr. Jackson to visit the places named to establish schools and inspect those now in operation.

At Unalaska you will take on board a full supply of coal and proceed northward to Point Barrow, stopping en route at such places as you may deem necessary. Upon arriving at the latter named place you will deliver to the keeper of the refuge station the articles intended therefor, and while there you will inspect the station and the articles therein, and cause a complete inventory to be prepared. You will submit to the Department a report as to the condition of the station, and so far as you may be able to learn what the management of it has been since your last visit.

While in the Arctic Ocean you will render any needed assistance to the whaling fleet, and will use the force at your command to prevent the trade in liquor with the Indians of Northern Alaska.

You will time your cruise in the Arctic so as to reach Unalaska on your return trip by the 1st of September next. In returning you will touch at St. Michaels and receive on board, for transportation to the United States, Mr. Frederick Funston, a field agent of the Department of Agriculture. Herewith is transmitted for your information copy of a letter upon the subject from the honorable Secretary of Agriculture.

As indicated in Department telegram of the 16th instant, it is not intended that these instructions shall interfere in the least with any duties that you may be required to perform after September 1, under orders from the honorable Secretary of the Navy or the senior naval officer commanding the Bering Sea fleet.

Copies of Department circular of April 14, 1893, regarding the killing of fur-bearing animals in Alaska, and a copy of the contract between the United States and the North American Commercial Company, granting exclusive right to said company to take fur seals on the Pribilof Islands, are inclosed.

It is not expected that you or the officers of your command shall be put to any expense on account of the subsistence of any persons received on board for transportation.

Further instructions will be sent you in regard to procuring coal at Dutch Harbor.

You will advise the Department, by telegraph, of the date of leaving Port Townsend, and of your return to San Francisco.

Respectfully, yours,

J. G. CARLISLE, *Secretary.*

Capt. M. A. HEALY,
Commanding Revenue Steamer Bear, Port Townsend, Wash.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., May 17, 1894.

SIR: Agreeably to the request of the honorable Secretary of the Interior, the instructions given you by this Department under date of the 20th ultimo are so far amended as to require your command to return to Unalaska from the northern cruise not later than the 25th of September next.

Respectfully, yours,

S. WIKE, *Acting Secretary.*

Capt. M. A. HEALY,
Commanding Revenue Steamer Bear, Port Clarence, Alaska.

[Confidential.]

NAVY DEPARTMENT,
Washington, May 26, 1894.

SIR: I have to acknowledge the receipt of your letter (No. 138) of the 16th instant, transmitting copies of the sailing orders and circulars issued by you to the vessels attached to the force under your command.

Your confidential instructions, dated May 13, 1894, to the commanding officers of the vessels under your command, must be amended to accord with paragraph 6 of the Department's printed order to you, dated May 4, 1894, marked A; said paragraph of said order requires you to seize United States and British vessels and persons found to be, or to have been, engaged in fur-seal fishing, within the area of the award, during the periods of time in which fur-seal fishing is forbidden.

The instructions contained in paragraphs 7, 8, and 9 of the Department's confidential instructions of the 4th instant, in regard to warning vessels, do not conflict with paragraph 6 of the Department's order of even date, marked A. The Department expects you to warn all vessels, if possible, and it also expects you to seize all vessels found to be, or to have been, engaged in fur-seal fishing within the area of the award, during the periods of time in which fur-seal fishing is forbidden, whether they have been warned or not.

Notice of warning must be entered on the vessel's log, and must not be indorsed upon her register.

The department approves of the disposition you have made of the force under your command, and of the circular orders, Nos. 1 to 11, inclusive, issued by you to said force.

Very respectfully,
F. M. RAMSAY,
Acting Secretary of the Navy.

Commander CHARLES E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea,
U. S. S. Mohican.

(Care of Navy Pay Office, San Francisco.)

No. 141.]
U. S. S. MOHICAN (THIRD RATE),
Sitka, Alaska, May 28, 1894.

SIR: I have the honor to report that this vessel left Port Townsend May 17 at 4 a. m. with the Fish Commission steamer *Albatross* in company, and proceeded to the northward through the Gulf of Georgia, passing out of Johnstone Straits at the northern end of Vancouver Island at 8 a. m. on the 19th, rounded the southern end of the Queen Charlotte Islands at 3 a. m. on the 20th, and shaped course for Cook's Inlet, gradually heading up for Middleton Island. Saw no sealers, and as coal was getting low attempted to reach the island under sail, but the wind failing after twenty-four hours, shaped course for Sitka, keeping approximately 40 miles from the land, or between the lines to be covered by the *Alert* and *Corwin*. Anchored in Sitka Harbor Saturday afternoon, the 26th, the *Adams* arriving and anchoring a short time ahead of us. We are now taking in 150 tons of coal from the ship *America*, and will go to sea this evening with the intention of returning by June 3, as the steamer then due may bring instructions from the Department.

The *Adams* will go alongside the coal ship as soon as we leave; will sail immediately after coaling to cruise for about ten days. As will be seen by reports from Commander Brice, inclosed, she has warned three sealers and boarded another, previously warned by the *Alert*. The *Corwin*, which vessel followed the shore line, warned one. The report of her commanding officer is also inclosed.

H. M. S. *Pheasant* arrived yesterday and her commanding officer, Lieut. Commanding E. H. Blair, royal navy, informs me that he has been ordered by Rear-Admiral Stephenson to proceed to any point where, in my opinion, he can best cooperate in carrying out the concurrent regulations. As the *Hyacinth*, the senior British officer's vessel, has returned to Victoria for repairs, the *Pheasant* is the only British vessel that will be available for patrol duty for some time. The sealing fleet being now in the Gulf of Alaska, I have suggested to the commanding officer of the *Pheasant* that he make Sitka his headquarters until June 12, St. Paul, Kadiak Island, until June 30, and after that at Unalaska, as this seems to be the best arrangement that could be made for turning over British sealers that may be seized and getting back the prize crews to their own vessels as soon as possible. A list of sealers warned by the *Hyacinth* and *Pheasant* is inclosed.

The British steam sealing schooner *Shelby*, with 34 seal skins on board, arrived here yesterday. She had been spoken by the *Pheasant* and ordered not to hunt seals before August 1, but as she had not been boarded nor served with any warning in writing, I have had his arms, ammunition, and sealing implements secured under seal and the proper entries made in his log book. As the vessel had steam power, though only auxiliary, I declined to give the master the customary permit to seal, but upon his offering to unship his propeller and leave it with the collector of this port, I made out a license for him which the commanding officer of the *Pinta* will deliver when the propeller has been landed and receipted for.

As it is understood that a number of sealers are scattered along the coast from Cape St. Elias to the entrance of Cook's Inlet, and as others may be fallen in with while crossing the Gulf of Alaska, this vessel will proceed direct to Kadiak Island and then enter Cook's Inlet or cruise along the coast to the eastward, until it is time to return to Sitka to meet the mail steamer.

Copies of orders for the *Adams*, *Alert*, and *Corwin* are herewith inclosed.

Very respectfully, C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

Hon. SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.

[Inclosure.]

U. S. S. ADAMS (THIRD RATE),
Sitka, Alaska, May 26, 1894.

SIR: I respectfully submit the following report of the run of the U. S. S. *Adams* from Port Townsend to Sitka.

Leaving Cape Flattery, stood out on a course W. ¾ N.; at 11 o'clock in the forenoon of May 18 overhauled the American schooner *Elwood* of Seattle, Master E. L. Wyman, in latitude 49° 20′ north, longitude 128° west. She had a crew of 11 men and was equipped for fishing on the banks to the northward of Vancouver Island, where she was bound.

Served on her a warning and all printed matter relative to the rules and regulations on seal fishing.

Continued on course W. ¾ N. until 9 p. m. on 18th, when the course was changed to N. W. by W.

At 8 p. m. on the 20th overhauled the British schooner *San Jose* of Victoria, 31 tons, Master M. Foley. Boarded her, and found her equipped for fur-seal fishing. She had a crew of 21 men, all told, of which 7 Indians and 1 white man were hunters; she had on board 20 skins and two bodies of seals. Reported few seals and no sealers. She cleared from Victoria, March 31, and had not been previously boarded. Her last port left was Nuchatlitz on Vancouver Island, where she had gone for hunters, leaving there April 30. Sealed up all implements as per instructions and served on her a warning and the printed matter relative to rules and regulations governing fur-seal fishing. Made proper entry in her log, offered the master a license to proceed to Victoria, which was refused. He asked for a permission to proceed to Sand Point. Served on him a warning. This occurred in latitude 54° 36′ north, longitude 136° 30′ west.

Continued on a parallel to the coast line, distance from coast 100 miles, and at 4 p. m. on the 21st in latitude 56° 10′ north, longitude 138° 50′ west, overhauled the British schooner *Minnie*, 46 tons, Master V. Jakobson. Boarded her and found that she had cleared from Victoria March 28. She had on board a crew of 22 all told, of which 16 were Indians, two squaws. She was fully equipped for fur-seal fishing, and carried ten boats and one dory. She had on board 398 skins salted and 46 fresh. According to master's report, less than 10 per cent of his catch were females. Her last port was Village Island, April 5; she had not been previously boarded. Served on her a warning and the usual printed matter, also a license to proceed to Victoria. Sealed up all implements for seal fishing as per instructions and made the proper entry in her log.

When overhauled she had boats out sealing, and had on deck 40 bodies of seals, 29 males, and 11 females, showing a percentage of females captured of 27. The following data relative to the daily capture of seals was furnished by the master:

		Seals.
April	13	24
	14	4
	15	1
	18	1
	22	11
	23	54
	28	1
	29	29
May	2	2
	3	3
	5	17
May	6	12
	7	24
	12	7
	14	45
	15	49
	16	49
	17	7
	18	24
	20	46
	21	44

Her largest capture of 54 seals, April 23, was made in latitude 57° 25′ north, longitude 138° 56′ west, near her position at the time she was overhauled. Since April 23 they had been working to the southward and eastward.

After overhauling the *Minnie* stood to the northward and westward to 140° 10′. Not seeing any seals or vessels, stood to the southward and eastward, passing just to the westward of where we sighted the *Minnie*, in hopes of crossing the line of the herd, if in the vicinity of the schooner, and sighted a few seal here. Stood off then at 8 a. m. on the 23d in a line of these two positions in the direction of Middleton Island until noon, May 24. The course was then changed to the eastward to sweep around the coast on the 100-mile line in the direction of Sitka, where it was necessary for me to go for coal. The noon position on the 24th was latitude 58° 21′ north, longitude 144° west. Eighteen hours after sighting the *Minnie*, about 10 a. m. on the 22d, it became foggy and continued thick until 5 p. m. on the 25th, almost obliterating any chance of finding either sealing vessels or seals.

While standing in about 3 p. m. on the 24th, overhauled the British schooner *Mascot*, of Victoria, master, H. F. Siewald. She was flying under her ensign the "special license" flag.

Boarded her and found that she had been boarded May 22, by an officer from the U. S. S. *Alert*, and properly sealed, and a special license to hunt fur seal and the special license flag had been given her by that vessel. Her seals were intact, and she was bound for Copper Island on the Russian side. Her master requested that her destination be reported in Sitka for the benefit of a couple of the crew, who were lost in one of the boats and might make Sitka. From Copper Island the *Mascot* is destined to Bering Sea. She had on board 389 salted skins, about 20 per cent females, and about 15 pups. She reported having taken most of her seals in this neighborhood.

On the affixed sheet will be found in tabular form a list of seals sighted during the run, with time, date, latitude, and longitude.

Very respectfully,

J. J. BRICE,
Commander, United States Navy, Commanding.

Date and time.	Latitude.		Longitude.		Number.	Remarks.
	N.		W.			
	°	′	°	′		
May 17, 6.30 p. m	48	30	125	40	1	Asleep.
May 20, 2 p. m	54	00	135	35	1	Do.
May 21, 6 a. m	55	05	137	10	2	Do.
May 21, 12.35 p. m.	55	50	138	10	Group.	Heading south.
May 21, 12.40 p. m	55	50	138	10	Group.	Sporting.
May 21, 2.55 p. m	56	00	138	20	1	Heading east.
May 22, 12.25 p. m	57	30	140	20	1	Heading west.
May 23, 2 a. m.	56	30	141	30	2	Sporting.
May 24, 9 a. m	58	10	143	30	1	Asleep.
May 25, 1.30 a. m.	58	10	142	30	Group.	Sporting.
May 26, 1.40 a. m.	57	25	137	30	Group.	Heading west.
May 24, 3 p. m	58	20	143	20	Group.	Sporting.

[Inclosure.]

REVENUE-MARINE STEAMER CORWIN,
Sitka, Alaska, May 21, 1894.

SIR: In obedience to your order I left Port Townsend 4 a. m., May 17, and proceeded to sea, coasting the shores of Vancouver Island, 2 to 10 miles distant; arrived at my station, the extreme southern end of Queen Charlotte Island, bearing northeast 12 miles, at 4 a. m., morning of the 19th; kept the shore 1 to 5 miles distant, reduced speed to 5 knots at 8 p. m.; May 20, at 4 a. m., increased speed to full power; Forrester Island abeam, 6 miles distant, at 5 a. m. same date; at 2 p. m., Cape Ommaney bearing N. ¾ E. 11 miles, saw a sail to southwest; changed course and ran 12 miles and boarded sealing schooner *Ethel*, Olsen, master, forty-five days from San Francisco; had taken five skins; warned her; gave her all the papers required and took his receipt; gave him sealing flag, took his declaration to proceed to home port, and gave him license to proceed direct to Kadiak, his home port; put all his arms and ammunition under seal. The *Ethel* is one of the vessels that was to be at Port Etches the last of April for information. Was informed by the master of this vessel that the seal herd and sealers were about Kayach, Montague, Pye, Monnot Islands. Shaped coursed for Sitka at 8 p. m. and ran at a speed to reach there at daylight, May 21; at 2.30 a. m. had Biorka Island abeam; anchored in Jamestown Bay at 5.50 a. m.; commenced filling water; filled tanks and put 1,200 gallons in boiler, and steamed to and anchored off Sitka at 10.30 a. m.

Exchanged courtesies with commanding officers U. S. S. *Pinta* and *Hassler*, and H. M. S. *Pheasant*.

The latter-named vessel was alongside coal ship. Sent bags on board the coal ship and bagged 20 tons coal. H. M. S. *Pheasant* left for sea at 7 p. m.

Exchanged boarding lists with last-named ship. May 22 steamed alongside coal ship at 5.50 a. m.; finished coaling at 4 p. m., having received $56\frac{736}{2240}$ tons, and will leave for a cruise at once.

Very respectfully,

FRED. M. MUNGER,
Captain, U. S. R. C. S.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea.

[Inclosure.]

List of sealers warned by H. B. M. ships Hyacinth and Pheasant.

Triumph	May 6, 1894	Borealis	May 7, 1894
Favourite	May 6, 1894	Venture	May 12, 1894
Annie C. Moore	May 9, 1894	Idaetta	May 6, 1894
Beatrice	May 9, 1894	Achilles	May 8, 1894
Saucy Lass	May 6, 1894	Sapphire	May 16, 1894
Ainoko	May 11, 1894	Shelby	May 22, 1894

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Sitka, Alaska, May 28, 1894.

SIR: Immediately after coaling you will proceed to Port Etches as directly as the dangers to navigation in the vicinity of Middleton Island and Cape St. Elias will permit, and will then cruise between that point and St. Paul, Kadiak, until it is necessary to return to Sitka for coal or so as to arrive there by June 11.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER U. S. S. ADAMS.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Sitka, Alaska, May 28, 1894.

SIR: You will please coal immediately and sail within seventy-two hours from time of arrival, weather permitting. Should the mail steamer, however, be due, you are authorized to delay sailing twenty-four hours longer.

Proceed direct to St. Paul, Kadiak, and after making inquiries cruise where, in your opinion, sealers are most likely to be found.

When you have only coal enough on hand to insure reaching Unalaska, run for that port.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER U. S. S. ALERT.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Sitka, Alaska, May 28, 1894.

SIR: You will please coal immediately and sail within seventy-two hours from time of arrival, weather permitting. Should the mail steamer, however, be due, you are authorized to delay sailing twenty-four hours longer.

Resume your cruise along the coast until you have reached Isanotski Strait, when proceed to Unalaska.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER U. S. REVENUE CUTTER CORWIN.

No. 54.]

U. S. S. CONCORD,
Unalaska, May 29, 1894.

SIR: I have the honor to report that on May 19, in latitude 40° 38′ north, longitude 148° 19′ east, I spoke the American sealing schooner *C. G. White*, register No. 126439, and warned the master of the President's proclamation of April 9, of which and of the instructions to the Bering Sea fleet I had but scant newspaper reports.

The following are the words of this warning:

> You are hereby notified that in pursuance of an act of Congress giving effect to the result of the arbitration at Paris of certain questions concerning the preservation of fur seals, which act was approved April 6, 1894, the President of the United States on April 10 issued a proclamation proclaiming that "every person guilty of a violation of the said act will be arrested and punished as therein provided; and that all vessels so employed, their tackle, apparatus, furniture, and cargo will be seized and forfeited."
>
> In accordance with the act of Congress referred to and of an act of similar tenor by the British Parliament, it is forbidden to subjects of Great Britain and the United States, under penalty of seizure and forfeiture as mentioned, first, to seal at any time within a zone of 60 geographical miles from the Pribilof Islands, or, second, to seal between May 1 and July 31, both inclusive, in that part of the Pacific Ocean, including Bering Sea, lying north of 35° parallel north latitude and east of a line coincident with the one hundred and eightieth degree of longitude till it strikes the water boundary between the United States and Russia and then coincident with said water boundary to Bering Strait.
>
> You are also warned that you and your vessel will be seized if found to be or to have been implicated in sealing during the prescribed time in the waters prohibited, whether with or without warning, and that, whether warned or not, you and your vessel having on board apparatus or implements suitable for taking seals or seal skins or bodies of seals, if so found will be seized and sent to a convenient port for adjudication.

The fact of this warning I caused to be noted on the schooner's log

Very respectfully,

C. F. GOODRICH,
Commander, United States Navy, Commanding.

The SECRETARY OF THE NAVY.

U. S. S. MOHICAN (THIRD RATE),
Sitka, Alaska, June 3, 1894.

SIR: I have the honor to report the arrival of this ship at Sitka at 1.30 p. m. to-day, having sailed as reported in my letter of May 28. Shaped course for the entrance of Cook's Inlet, having been informed that the sealing fleet was in that vicinity. At 5 p. m. on May 30 boarded the whaling bark *Mars* and sealed up arms and ammunition, except those used for whaling purposes only. At 11.30 p. m. of the same day overtook and boarded the sealing schooner *Volunteer*, from Seattle, after a chase of four hours, during which she attempted to escape by running for the straits leading into Prince William Sound; sealed up arms and ammunition, and gave the master a license to seal in Bering Sea after July 31, as provided for in the President's regulations. Ran across the Portlock Banks but saw no more vessels, and at 4.30 p. m., May 31, shaped course for Sitka, but, owing to bad weather, did not make the land until 9 a. m. June 3. At 10 a. m. boarded the British schooner *C. D. Rand*, warned by the *Alert* and boarded afterwards by the *Adams*. The master stated that all sealing vessels had gone south, or to Sand Point, except the *Volunteer*, which he believed was sealing near Middleton Island. As we had overhauled the *Volunteer* 400 miles to the westward only sixty hours before, and as reports have been received here to the effect that a number of sealers have returned to Victoria, it is probable that sealing for the present has been broken up. But this will not be regarded as any reason for relaxing our efforts to carry out the Department's instructions. As a few of the vessels that have been warned may later begin sealing again upon the supposition that the squadron has gone into Bering Sea, two vessels will be kept cruising between Sitka and the passes until the time when the stragglers of the herd enter the sea is past.

I found the *Ranger* and *Corwin* in port, both having arrived yesterday. The *Corwin* has part of her coal on board and the *Ranger* will be coaled by the time repairs, which are being made, can be completed—noon of the 5th. This ship will probably be coaled the same evening, and I hope the coal ship will then be light enough to get alongside the dock extension that the *Pinta's* crew are building.

Reports from the commanding officers of the *Ranger* and the revenue cutter *Corwin* are herewith inclosed. Orders for these vessels will not be prepared until just before they are ready to sail, but the *Ranger* will proceed to Unalaska and then cruise in Bering Sea, and the *Corwin* will continue to follow the coast line, and then assist the *Yorktown* in carrying out the instructions contained in paragraphs 11, 12, and 13, Department's confidential orders, dated May 4, 1894.

This vessel will cruise near the coast in the Gulf of Alaska until it is time to return to Sitka to meet the next mail steamer from Port Townsend, which should bring any orders the Department may have issued modifying those prepared by me before the fleet sailed from Port Townsend. Will then coal immediately, and if not ordered to the contrary, will sail for Unalaska, calling at several points for information that may enable me to carry out effectually the instructions already referred to in the preceding paragraph.

Until I arrive at Unalaska, the special orders sent to the *Concord*, *Petrel*, and *Albatross*, the general instructions contained in Circulars to Commanding Officers Nos. 9 and 10, and those which will be prepared and sent by the *Ranger*, will, I believe, fully provide for the enforcement of the Department's orders relating to the patrol of the Bering Sea.

Copies of circulars issued to commanding officers are also inclosed.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

The SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.

[Inclosure.]

U. S. S. RANGER (THIRD RATE),
Sitka, Alaska, June 2, 1894.

SIR: I have the honor to submit the following report of the movements of this vessel from May 17, 1894, to date:

In obedience to telegraphic instructions from the Secretary of the Navy, left Mare Island Navy-Yard at 6 o'clock p. m., May 17, 1894, for Port Townsend, Wash., arriving there at 4.40 p. m., May 21.

Lieutenant Mayo being out of the city for the day, your instructions were not received by me until 10 o'clock p. m.

At 1 p. m., May 22, left Port Townsend for Whatcom, where I arrived at 6.08 p. m.

At 5 a. m., May 23, began coaling ship, taking on board sixty tons Blue Canyon coal. Got under way at 2.32 p. m., and proceeded north in obedience to your instructions.

The inclosed report, prepared under my direction by the navigator of this vessel, shows the track of the ship, localities visited, and seals seen. Inclosure No. 2 is a complete list of all vessels boarded, searched, and warned during this passage.

The vessel arrived at Sitka, Alaska, at 7.11 a. m., June 2, 1894.

Very respectfully,

E. LONGNECKER,
Commander, United States Navy, Commanding.

The COMMANDING OFFICER,
United States Naval Force in Bering Sea.

U. S. S. Ranger (third rate), E. Longnecker, commander, U. S. N., commanding.—Cruising report from May 17, 1894, to June 2, 1894.

FROM MARE ISLAND TO PORT TOWNSEND.

Date.	Latitude.		Longitude.		Distance.	Remarks.
	N. °	'	W. °	'	*Miles.*	
May 17, 6.10 p. m.						Cast off from dock.
May 18, m.	38	59	123	57	132.5	Foggy and damp. Moderate swell from westward. Light breezes and airs from westward. At 9.25 a. m. sighted 1 seal.
May 19, m.	42	18	124	47	205	Foggy and damp first part. Cloudy latter part. Smooth sea. Moderate southerly breeze.
May 20. m.	45	55	124	48	220	Cloudy and cool. Smooth sea. Variable light breezes. At 11 a. m. sighted about 100 seals. At 2.10 p. m. 4 seals, and at 6.30 p. m. 2 seals.
May 21, 4.40 p. m.	Port Townsend ...				245	Anchored.

Total distance run, 802.5 miles.

U. S. S. Ranger (third rate), E. Longnecker, commander, U. S. N., etc.—Continued.

FROM PORT TOWNSEND TO WHATCOM, WASH.

Date.	Latitude.	Longitude.	Distance.	Remarks.
			Miles.	
May 22, 1.13 p. m	Port Townsend			Got underway.
May 22, 6.08 p. m	Whatcom, Wash		41	Anchored in 6 fathoms off coal mine. Soft mud.

Total distance run, 41 miles.

FROM WHATCOM, WASH., TO SITKA, ALASKA.

Date.	Latitude.	Longitude.	Distance.	Remarks.
May 23, 2.32 p. m	Whatcom, Wash			Got underway. At 4.55 p. m., sighted 1 seal and at 5.55 p. m. 1 seal.
	N. ° ′	W. ° ′		
May 23, 10.36 p. m	48 15	123 31½	56	Took departure. Race Rock light, NNW. ¾ W. 2-minute course W. ¾ seconds.
May 24, 5 a. m	48 27	124 34	43.5	Change course to W. ½ N. fog light. Northwest breeze. Smooth sea.
May 24, m	48 49	125 41	47	Changed course to W, fog light. Northwest breeze. Smooth sea.
May 24. 8 p. m	49 09	126 49	49	Changed course to W. by N. fog light. Northwest breeze. Smooth sea.
May 25, 4.30 a. m	49 31	128 07	57	Changed course to WNW. Clear and cool. Moderate northwest breeze.
May 25, 8.22 a. m	49 50	128 33	26	Changed course to overhaul schooner *Elwood*. N. ½ E.
May 25, 11 a. m	49 55	128 31	5	Course WNW.
May 25, m	50 00	128 39	8	Course NW. by W. ¾ W. Clear and cool. Moderate breeze from northwest.
May 26, m	52 18	131 52	187	Course NW. by W. ¾ W. Foggy and damp. Moderate breeze from northwest. At 7.15 p. m. sighted 1 seal.
May 27, m	55 02	135 35	210	Course WNW. ½ W. Fog. Smooth sea. Moderate breeze from SSW. hauling to westward.
May 28, m	56 59	138 39½	180	Cloudy, fair, cool. Moderate breeze from SSE. Course NW. by W. ½ W.
May 28, 1.30 p. m	57 10	140 00	15	Course W. ½ S.; cloudy and cool; light and moderate breeze.
May 29, 2.50 a. m	57 52	143 01	105	Course WSW. ¾ W.; cloudy and cool, light and moderate breeze.
May 29, 8.35 a. m	58 04	144 32	50	Course SW. by W. ½ W.
May 29, m	58 02	145 35	38	Course SW. by W. ½ W.
May 29, 2.03 p. m	58 02	146 10	18.5	Course SW. ½ W.
May 30, 9 a. m	57 05	150 57	163	Course WSW. ½ W.: cloudy and cool, light and moderate breezes from ENE.
May 30, 10.45 a. m	57 08	151 22	13	Course NE. by E. ½ E.; cloudy and cool, light and moderate breezes from ENE.
May 30, m	57 08	150 54	14.5	Course NE. by E. ½ E.; cloudy and cool, light and moderate breezes from ENE.
May 31, m	57 11	144 52	196	Course NE. by E. ½ E.; moderate breeze from ENE.; cloudy and cool, moderate swell from eastward.
June 1, m	57 02	149 05	191	Course NE. by E. ½ E.; moderate breeze from SSW. to S.; moderate sea and swell; cloudy.
June 2, 7.10 a. m	Sitka	Sitka	136	Anchored.

Total distance run, 1,803.5 miles.

SUMMARY OF DISTANCES RUN BETWEEN PORTS.

	Miles.
Mare Island to Port Townsend	802.5
Port Townsend to Whatcom	41.0
Whatcom to Sitka	1,803.5
Grand total	2,647.0

Very respectfully,

F. E. GREENE,
Lieut., U. S. N., Navigator.

The COMMANDING OFFICER.

[Inclosure.]

REVENUE MARINE STEAMER CORWIN,
Port of Sitka, Alaska, June —, 1894.

SIR: I have the honor to report that I left Sitka with the *Corwin* at 3.30 p. m., May 22, and steamed to the westward close along the shore May 23, at 7.30 a. m., observed a cloud of smoke like a signal on shore a short distance north of Dixon Harbor; sent an officer to investigate, who reported a party of hunters not in need of assistance.

The land north and south of Harbor Point is placed too far to the east on the chart. Cape Fairweather is at least 4 miles out of position. May 21, had Ocean Cape abeam. At 3 a. m. steamed into Yakutat Bay and boarded and warned sealing schooner *Matinee*. She had taken no skins and had trading license from the collector at Sitka, but he had guns and salt on board. Sealed him up and gave him license to proceed to Kadiak. Anchored off the village of Yakutat at 6 a. m. and posted in the post-office the documents relating to seal fishing, and left the harbor at 6.35. At 11.30 a. m., same date, off Point Manby, boarded sealing schooner *Idaetta*, of Seattle; she had 126 skins on board. Warned him in due form, sealed his sealing outfit, and gave him license to hunt seal in Bering Sea. She had nine hunters on board, and I had them all exhibit their skill at throwing the spear. After leaving this vessel and for the next three days had thick rain and fog most of the time. May 25, at 7.17, a. m., had Cape St. Elias abeam.

The position of this cape on the Coast Survey chart, No. 8500, is from 9 to 12 miles too far west, and from 4 to 6 miles south of its true place. The *Bear* got good observations May 21, and gave me latitude 59° 52′ 54″ north, longitude 144° 35′ west, as its position.

It is a very dangerous reef and should be properly located, as there are many vessels in that locality yearly.

The bark *Sea Ranger* was lost there last year. May 26, at 7 a. m., came to anchor in Port Etches; found the *Bear* at anchor.

Blowing fresh, so that I could do no boarding at sea; remained in port.

May 27, 2 a. m., got underway and steamed out of the bay. At 7 a. m., off Wooded Island, boarded whaling bark *Mars*, one hundred and thirty-two days from Honolulu. Warned the captain against sealing, and gave him the papers relating thereto. May 28, steaming to southward and westward; thick fog, rainy, and squally. At 5.25 p. m., had Cape Greville, Kadiak Island, bearing southwest by west 5 miles; changed course to northeast by north for Middleton Island, in hopes to fall in with some of the sealing fleet, or a Government vessel for information. May 29, standing northeast by north, strong northeast wind, rain, and fog. May 30, 12.10 a. m., spoke whaling bark *Mars*. At 3.10 boarded and warned sealing schooner *Geo. R. White;* had 80 skins on board. Sealed her up and gave him license to proceed direct to Port Townsend. The captain of this vessel made contradictory statements about his catch, and I believe him tricky, and if again boarded will bear a thorough overhauling. Steamed in for Montague Island and eastward; went into Kayak Harbor. May 31, steaming along shore to the eastward.

June 1, same. Had moderate southeast gale, thick fog, and rain. June 2, anchored off Sitka at 8 a. m. The four vessels named were all seen, and but five seals observed during the entire run. Sent coal bags on board the *America*, and bagged 20 tons of coal. Exchanged boarding lists with U. S. S. *Ranger* and H. M. S. *Pheasant*.

Very respectfully,

FRED. M. MUNGER,
Captain, U. S. R. C. S.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea.

[Inclosure.]

[Circular to Commanding Officers, No. 15.]

U. S. S. MOHICAN (THIRD RATE),
Sitka, Alaska, May 28, 1894.

H. B. M. S. *Pheasant* will make Sitka her headquarters until June 12; from June 12 to June 30 she will be in and around St. Paul, Kadiak, and after that date at Unalaska.

In case any British vessels are seized they will be sent to the port, where the *Pheasant* is most likely to be found.

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

[Inclosure—Confidential.]

[Circular to Commanding Officers, No. 12.]

U. S. S. MOHICAN (THIRD RATE),
Sitka, Alaska, May 28, 1894.

While cruising in Bering Sea it must be remembered that our vessels and whalers may be fallen in with as well as sealers; therefore in thick weather the speed should be reduced sufficiently to allow the ship to be stopped or backed when there is risk of collision. If the fog is so dense that this could hardly be done while steerage-way is maintained, the fog horn should be sounded occasionally, several short blasts being given in succession. When proceeding with dispatch, or when the sea is not comparatively smooth, the whistle will be blown, as required in the Rules of the Road.

In order to prevent sealers from obtaining any information concerning signals and the times when they may be used, commanding officers will carry out the foregoing instructions by orders given when the occasions requiring them arise.

The foregoing applies also to vessels cruising between Sitka and the Passes leading into Bering Sea.

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

[Inclosure—Confidential.]

[Circular to Commanding Officers, No. 13.]

U. S. S. MOHICAN (THIRD RATE),
Sitka, Alaska, May 28, 1894.

As the directions in paragraph 6, instructions dated May 4, 1894, seem to have been differently interpreted, it is hereby ordered that upon arrival in port a list of sealers warned shall be, prepared with copies for all American and British cruisers, and these will be sent direct when opportunity offers. Those for vessels that can not be immediately communicated with should be addressed to them and left in the post-office at Iliuliuk or in that at Sitka.

Referring to paragraph 5 of the same letter, the copies of certificate of warning given to American vessels should be sent to the collector of the port to which the vessel is licensed to proceed, and copies given to British vessels to the consul at Victoria, British Columbia.

Very respectfully,

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

NAVY DEPARTMENT,
Washington, June 11, 1894.

SIR: I have the honor to acknowledge the receipt of your letter of the 8th instant, transmitting copies of dispatches from the United States consul at Victoria, British Columbia, reporting the seizure of certain vessels engaged in pelagic sealing, by H. M. S. *Hyacinthe.*

Very respectfully, your obedient servant,

H. A. HERBERT,
Secretary of the Navy.

The SECRETARY OF STATE.

[Confidential.]

No. 154.] U. S. S. MOHICAN (THIRD RATE),
Sitka, Alaska, June 13, 1894.

SIR: Referring to the instructions in the Department's orders dated May 4, instant, I have the honor to state that the *Yorktown*, *Adams*, *Corwin*, and this vessel have been constantly cruising between Sitka and Unalaska, and the *Concord*, *Alert*, and *Ranger* part of the time, without sighting more than a third of the sealing vessels reported to have cleared from different ports, and as the seal herd has been moving to the westward in the track of our ships, it is evident that the greater number of sealers have either given up sealing on the coast of Alaska, or that they are keeping at a safe distance, waiting until they think it is time for our vessels to enter Bering Sea, and then return to the track of the herd and pick up stragglers. Or it may be that many have remained on the coast of Asia, being dissuaded from coming over by the reports of the number of cruisers patrolling this season.

Reports have also reached me that several sealers have already returned to Victoria.

It is evident from the statements made by the masters of vessels that have been boarded that they have little hope of sealing profitably this year. Some are of the opinion that since they can not afford to wait until August 1 to resume sealing, they might as well break their seals and run the risk of seizure. The master of the schooner *C. D. Rand*, a very intelligent man, asked me if he would be seized if under another flag, and on being questioned, stated that several masters had returned to port to have their vessels put under other flags; that the transfer could be made at Victoria, he thought, for $120 by either the German or Hawaiian consuls.

Under the circumstances it seems that the patrol of the Gulf of Alaska and the track of the seal herd from Kadiak Island to the passes should be maintained until late in July. I have ordered the *York-*

and *Corwin* to cruise between Sitka and the passes, examining inlets and bays to which sealers may have retreated or where sea-otter hunters may be found, until July 10, by which date they are to arrive at Unalaska. They will also carry out the instructions contained in paragraphs 11, 12, and 13 of the Department's confidential instructions dated May 4, 1894.

After arrival at Unalaska I will send all the vessels that can be spared from duty in Bering Sea to make another cruise on the track of the seal herd between the passes and the eastern entrance to Cook's Inlet, and later, will keep one, and if need be, two vessels patrolling between the passes and Sitka, as the knowledge that most of our ships are in the Bering Sea may induce sealers to resort to that part of the coast for the purpose of hunting all kinds of fur-bearing animals or of trading in violation of the laws.

Copies of recent orders issued to the vessels of the fleet are herewith inclosed.

Very respectfully,
C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

The SECRETARY OF THE NAVY,
Washington, D. C.

[Inclosure.]

[Circular to Commanding Officers, No. 16.]

U. S. S. MOHICAN (THIRD RATE),
Sitka, Alaska, June 4, 1894.

The commanding officers of vessels arriving at Sitka or Unalaska will only undertake repairs that can be completed while coaling, and this, allowing for delays, waiting for other vessels to get alongside the wharf or coal ship, would not exceed a fifth part of the time the vessel has been actually under way since coaling at either port the time preceding.

When the safety of the ship, her immediate cruising efficiency, or the health of the ship's company may be affected, reports from the officer in charge of the Department concerned will be forwarded with that of the commanding officer immediately upon arrival, and the senior officer present will see that only important and necessary repairs, under the heads above specified, bad weather, or the near approach of darkness, prevent the ship from sailing when the coal is on board.

Should the mail steamer be due the senior officer present may authorize a delay of twenty-four hours, but this is not to be further extended if the steamer has not then arrived.

Vessels whose coal supply will not allow them to steam at a good rate of speed for ten days and keep a reserve for returning to port, will, when cruising in search of sealers, or when guarding the Pribilof Island 60-mile limit, steam at the most economical rate during the night, or keep under canvas with heavy banked fires until just before daylight.

Vessels anchoring in harbors or roadsteads that may be resorted to by sealers, will have a lookout stationed at some point of observation and fires will be kept banked.

Commanding officers will always send to the post-office at Iliuliuk as well as to the agent of the North American Commercial Company at Dutch Harbor for orders that may have been left for them.

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Sitka, Alaska, June 5, 1894.

SIR: When relieved by the *Ranger*, return to Unalaska, covering the ground 100 miles to the eastward of a line from the islands to Unalaska with zig-zag courses as much as you can, and keep sufficient coal on board to insure reaching port.

Very respectfully,
C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

The COMMANDING OFFICER U. S. S. PETREL.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Sitka, Alaska, June 5, 1894.

SIR: Upon receipt of these orders you will sail from the Pribilof Islands and will cruise for ten days, or as long as the coal on hand will permit, between a line drawn from the Island of St. Paul to Cape Newenham, and another from St. Paul to Akutan Island; then return to Unalaska. Go as far to the eastward as in your judgment seems best.

Very respectfully,
C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

The COMMANDING OFFICER U. S. S. ALBATROSS.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Sitka, Alaska, June 5, 1894.

SIR: Your orders dated May 11 are so far modified that you will please consider the limits of your cruising ground to be Issannakh Straits and Tanaga Island, but you need go no farther west than Amukhta Pass, if in your judgment the passes to the eastward should be more carefully guarded.

When you enter an anchorage that may be approached by sealing vessels please have lookouts posted and be ready to get underway promptly, having warned any officers or men who have landed that they must take the risk of being left on shore until you return.

Very respectfully,
C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

The COMMANDING OFFICER U. S. S. CONCORD.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Sitka, Alaska, June 5, 1894.

SIR: Proceed with the vessel under your command to Unalaska, calling at St. Paul, Kadiak Island, and Sand Point for information concerning the whereabouts of the *Yorktown*, and if you meet her please deliver the accompaning letter to her commanding officer.

You will of course carry out the general instructions relative to sealing vessels, but do not allow the search for any reported to be near you prevent your reaching Unalaska by the 16th at the latest.

Upon arrival there please deliver the accompanying letters for commanding officers to the senior officer present, or leave them when you sail, together with the mail for the squadron, at the post-office at Iliuliuk. You will, however, retain the orders for the *Petrel* and *Albatross*, marked "To be delivered at the Pribilof Islands;" also the mail for the *Petrel* and that for the *Albatross*, in case the latter vessel has arrived from Attu and sailed for the Pribilof Islands.

Coal at Unalaska and sail immediately for the Pribilof Islands, steering about WSW. (magnetic), until you are 100 miles to the westward of Unalaska, then shape your course for the Pribilofs.

Upon arrival there, if you find the *Petrel* and *Albatross*, deliver their orders, and take the duty of guarding the islands as required in circular to commanding officers, No. 9.

When relieved by another vessel, cruise to the eastward (but not going more than 125 miles from a line between the Pribilof Islands and Unalaska) until obliged to return to port for coal.

If not relieved, return to Unalaska direct when the amount of coal on board will not justify your remaining longer at the islands.

Very respectfully,

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

The COMMANDING OFFICER U. S. S. RANGER.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Sitka, Alaska, June 5, 1894.

SIR: You are hereby ordered to cruise between Unimak Pass and Sitka, where in your judgment you deem it is best, in order to carry out most effectually the Department's requirements embodied in circular to commanding officers, No. 3.

The commanding officer of the *Corwin* has been ordered to assist you in this work, and will endeavor to be at St. Paul, Kadiak, for such instructions as you may have for him June 18, at Alitak Bay June 19, and Sand Point June 21. You will please see that nothing interferes with his reaching Unalaska by the 10th July.

Inclosed is a copy of a letter from the Navy Department, dated May 1, and you are authorized to make any tests you deem advisable, provided they will not interfere with the work in hand and the coal can be delivered to you within forty-eight hours free of cost.

The mail steamer is due at Sitka June 28, and you will please go there then, or as soon after as you can without prejudice to the duty upon which you are engaged, coal, and sail for Unalaska, taking the mail for the squadron and shaping your movements so as to reach the latter port not later than July 10.

When on the way to Unalaska from Sitka please call at Alitak Bay and take on board the officer and party left there by the *Concord*.

Very respectfully,

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

The COMMANDING OFFICER U. S. S. YORKTOWN.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Sitka, Alaska, June 5, 1894.

SIR: Upon receipt of these orders sail immediately for the Pribilof Islands, steering west (magnetic) until you have run 125 miles, then shape your course for the islands.

Upon arrival please assume the duty of guarding the islands or report to the senior officer present for that purpose, relieving the Albatross if she is at the station.

You will be governed by the instructions contained in circular to commanding officers, No. 9.

Very respectfully,

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

The COMMANDING OFFICER U. S. S. ALERT.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Sitka, Alaska, June 7, 1894.

SIR: You are hereby ordered to proceed with the vessel under your command to St. Paul, Kadiak, and will endeavor to reach there by the 18th instant, to meet the *Yorktown*. If she should not have arrived by that date, sail for Alitak Bay, passing to the southward of Kadiak and then for Sand Point, reaching these ports if possible on the 19th and 21st.

If you meet the *Yorktown* the commanding officer will give you instructions, but if she has not arrived at Sand Point by the morning of the 22d instant, you will please cruise where in your judgment it seems best in order to carry out most effectively the requirements embodied in circular to commanding officers, No. 3, coaling at St. Paul if necessary.

Please shape your movements so as to reach Unalaska by the 10th of July.

Very respectfully,

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

The COMMANDING OFFICER U. S. REVENUE CUTTER CORWIN.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Sitka, Alaska, June 12, 1894.

SIR: As soon as the repairs on the engines of the *Adams* are completed, proceed to sea. From place of departure near Sitka Point, steer zigzag courses SSW. (magnetic) 50 miles and WNW. (magnetic) 75 miles, until it is time for you to return to Sitka, arriving there June 20. First course to be steered from place of departure SSW.

When you return, please coal immediately, take the mail for the fleet, except the *Yorktown* and *Corwin*, that arrives by the steamer of the 18th, and sail for Unalaska, calling at Sand Point and overhauling vessels that may be sighted on the way. It is expected that you will reach Unalaska the 28th of June, or as soon thereafter as practicable.

Should sealing vessels be met, you will caution the boarding officer to be especially careful in searching for evidence that seals have been taken after a warning had been served.

Very respectfully,
C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER U. S. S. ADAMS.

U. S. S. MOHICAN (THIRD RATE),
Sitka, Alaska, June 13, 1894.

SIR: I have the honor to inform the Department that no instruction were received by the steamer *Queen*, just arrived and as stated in my letter of yesterday, will sail for Unalaska to-morrow morning.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The SECRETARY OF THE NAVY,
Washington, D. C.

[Telegram.]

VICTORIA, BRITISH COLUMBIA, *June 17, 1894.*

Arrived May 22, Unalaska, Fox Islands.

EMORY.

SECRETARY OF NAVY,
Washington, D. C.

[Translation of telegram.]

WASHINGTON, *June 18, 1894.*

Replying to your No. 144, confidential, June 3, revoke immediately your circular letter of May 28, No. 14. Closely confine self to instructions from the Department. Seize under the award only United States vessels and British vessels. Do not interfere with the vessels of other nationality if colors and papers are regular. False colors and ship's papers can not protect American vessels or British vessels. This order does not countermand or conflict with paragraph 13, Secret Instructions, May 14, 1894.

HERBERT.

Commander CLARK,
Commanding United States Naval Force in Bering Sea.
(Care Navy Pay Office, San Francisco.)

U. S. S. MOHICAN (THIRD RATE),
Port Etches, Alaska, June 18, 1894.

SIR: Upon receipt of this order you will please report to Commander W. M. Folger, United States Navy, commanding the U. S. S. *Yorktown*, for such instructions as he may give you in regard to the directions contained in your orders dated June 7 and June 13, 1894.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

COMMANDING OFFICER U. S. REVENUE CUTTER CORWIN.

NAVY DEPARTMENT, *Washington, June 19, 1894.*

SIR: I have the honor to transmit herewith a copy of a letter, dated June 3, 1894, from the commanding officer of the United States naval force in Bering Sea, transmitting a copy of a circular order, No. 14, issued by him to the vessels of the force under his command.

Inclosed, marked A, is a copy of this Department's dispatch of the 18th instant, directing the commanding officer of the United States naval force in Bering Sea to revoke immediately the above-mentioned Circular Order No. 14.

Very respectfully,

H. A. HERBERT,
Secretary of the Navy.

The SECRETARY OF STATE.

[Inclosure—Confidential.]

No. 144.]

U. S. S. MOHICAN (THIRD RATE),
Sitka, Alaska, June 3, 1894.

SIR: Referring to the copy of Circular to Commanding Officers No. 14, inclosed with my report of this date, I have the honor to state that if the instructions contained therein are not approved by the Department, and if the reasons given and arguments quoted are not considered to have justified the position taken, the regret that I shall feel will still allow me to believe that my convictions may yet be respected and my intentions appreciated.

After carefully considering the situation I became convinced that if sealing vessels were fitted out from countries as distant as Norway there was little hope of accomplishing any of the purposes for which the Tribunal of Arbitration was assembled, if sealing under other flags could not be interferred with until the countries to whom they belong had agreed to abide by the terms of arbitration. At first it seemed that the claim to the right of interference should be restricted to Bering Sea, but other nations have not admitted that we have undisputed rights within its waters, and, even if they had, the seal herd could be exterminated in a few years by vessels keeping on its track outside the Aleutian Islands.

I know that a government may sometimes profit by the act of an officer, and yet if it should appear later that it was in the interest of sound policy to abandon the claim he had advanced, the withdrawal could be made with honor since he had no authority to commit it to any line of action, and I have less satisfaction in the thought that I may be sustained than I do in feeling that my action can be disavowed by those better able to determine what is right and just, even if it means for me recall and censure.

Very respectfully, C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

Hon. SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.

[Inclosure.—Circular to Commanding Officers, No. 14.]

U. S. S. MOHICAN (THIRD RATE),
Sitka, Alaska, May 28, 1894.

Having received information from the Navy Department, and had letters brought to my notice from the Treasury Department, concerning vessels now in the North Pacific, or on their way there under different foreign flags, for the purpose of sealing in Bering Sea or on the route of the seal herd before it enters the passes, and having been applied to by commanding officers for directions regarding the line of action to be pursued should such a vessel be met, the following instructions are issued for your guidance.

But as our rights to seize or even warn these vessels may be strenuously denied, and as points of international law will be cited to prove that the freedom of the seas has been violated, I will first quote from high authorities to show that the destruction of seal life is assured, unless measures are quickly taken to prevent unlicensed sealing, and, that the efforts made by our Government, and that of Great Britain, to accomplish the desired end will avail nothing unless this new danger is promptly met.

"There are many persons in the United States who are of the opinion that if we wait until the arbitration is completed a very serious, if not fatal, blow may have been struck against that industry. There is no doubt that the catch of seals has increased largely of recent years, and some experts declare that grounds which were formerly covered with them are now almost denuded. I do not at all concede that that opinion is universal. The Government of Canada doubts very much whether the statistics on this point are correct. At all events these apprehensions have this circumstance in their favor, that unrestricted permission to all nations to hunt the seal at all times has resulted in other parts of the world in its entire extermination. Formerly seals were common on the coast of South America and those of the Falkland Islands; now they are hardly to be found there. There is, therefore, a serious danger to be averted, and we can hardly wonder that the United States should be anxious that an industry which is so very valuable should not incur any danger from neglect. They propose that over that part of the sea which they are authorized to deal with, and on all the islands and coasts belonging to the United States, there shall be no seal killed until the month of May, 1892, if Her Majesty's Government will arrest the progress of British seal hunting in the same waters during the same time. It seems to us that on the whole the proposition is a reasonable one, and we should be fully incurring the censure, not only of the United States but of the civilized world, if by adhering too closely to any technical right we run the risk of the destruction of this valuable industry and of a valuable animal." (Speech of Marquis of Salisbury, then prime minister, in the House of Lords.)

"Sir George Baden-Powell, in his valuable comments on Mr. Staveley Hill's letter upon the Bering Sea question, says truly that the one condition of success in all future regulations is that 'they should be drawn up in the light of a full and complete knowledge of the natural history of the case.'"

"Scarcely a century ago fur seals existed in numbers which appear now almost incredible on many coasts and islands of the Southern Ocean, Juan Fernandez, Chile, the Falkland Islands, South Georgia, South Shetland, Prince Edward Island, the Crozettes, some parts of Australia, Antipodes Island, and many more, mostly within our dominions or within British influence, all possessed "rookeries," or breeding places of seals, which, if protected, might have been still as populous and valuable as those on Pribilof Islands in the Bering Sea. Every one of these, however, has, owing to the ruthless and indiscriminate slaughter carried on by ignorant and lawless sealers, regardless of everything but immediate profit, been totally annihilated or so reduced in numbers that it is no longer worth while to visit them. The only spot in the world where fur seals are now found in their original or even increased numbers is the Pribilof group, a circumstance owing entirely to the rigid enforcement of the wise regulations of the Alaska Commercial Company, which are based on a thorough knowledge of the habits of the animals. But for this the fur seal might before now have been added to the long list of animals exterminated from the earth by the hand of man." (Letter to the London Times, December 3, 1891, from Mr. W. H. Flower, Natural History Museum, Cromwell Road.)

"Under these circumstances the Government of the United States must, in my opinion, either submit to have these valuable fisheries destroyed or must take measures to prevent their destruction by capturing the vessels employed in it. Between these alternatives it does not appear to me there should be the slightest hesitation.

"Much learning has been expended upon the discussion of the abstract question of the right of mare clausum. I do not conceive it to be applicable to the present case.

"Here is a valuable fishery and a large, and if properly managed, a permanent industry, the property of the nations on whose shores it is carried on. It is proposed by the colony of a foreign nation, in defiance of the joint remonstrance of all the countries interested, to destroy this business by the indiscriminate slaughter and extermination of the animals in question, in the open neighboring sea, during the period of gestation, when the common dictates of humanity ought to protect them were there no interest at all involved. And it is suggested that we are prevented from defending ourselves against such depredations because the sea at a certain distance from the coast is free.

"There are many things that can not be allowed to be done on the open sea with impunity, and against which every sea is mare clausum. And the right of self-defense as to person and property prevails there as fully as elsewhere. If the fish upon the Canadian coasts could be destroyed by scattering poison in the open sea adjacent, with some small profit to those engaged in it, would Canada, upon the just principles of international law, be held defenseless in such a case? Yet that process would be no more destructive, inhuman, and wanton than this.

"If precedents are wanting for a defense so necessary and so proper it is because precedents for such a course of conduct are likewise unknown. The best international law has arisen from precedents that have been established when the just occasion for them arose, undeterred by the discussion of abstract and inadequate rules.

"It is not to be reasonably expected that Great Britian will either encourage or sustain her colonies in conduct which she herself conceded to be wrong and which is detrimental to her own interests as well as to ours. More than 10,000 are engaged in London alone in the preparation of seal skins. And it is understood that the British Government has requested that clearance should not be issued in Canada for vessels employed in this business, but the request has been disregarded." (Letter from E. J. Phelps, minister to Great Britain, to the Secretary of State.)

"Lord Salisbury desires to make the following two reservations on the above article:

"His lordship understands, first, that the necessity of any regulations is left to the arbitrators, as well as the nature of those regulations, if the necessity is in their judgment proved. Secondly, that the regulations will not become obligatory on Great Britain and the United States until they have been accepted by the other maritime powers. Otherwise, as his lordship observes, the two Governments would be simply handing over to others the right of exterminating the seals." (Letter from Sir Julian Pauncefote to Secretary of State, November 23, 1891.)

"Great circumspection is called for in this direction, as British and American sealers might recover their freedom and evade all regulations by simply hoisting the flag of a nonadhering power." (Letter from Sir Julian Pauncefote to the Secretary of State, December 1, 1891.)

It is therefore evident that the Americans and Canadians now interested or engaged in the fur-seal fishery, who have reduced the Pribilof herd more than one-half and have virtually robbed our Government of a handsome revenue, would, for the sake of the small profit that may be made during the next few years, pursue the work of destruction by putting their vessels under foreign flags, or by fitting, or pretending to fit out, from the ports of other maritime powers. And as the number and probably the greater number of these so-called Canadians are Americans, such a transfer would only be another step in a direction already taken.

The extermination of the seal herd is only delayed but not prevented by the exclusion of the pelagic sealer from the Bering Sea, for the fleet that surrounded the Pribilof Islands and slaughtered the female seals as they left them in search of food for their young, thereby causing the death of the latter by starvation, wrought no more destruction than when it sailed along the northwestern shore of the continent, killing the females heavy with young, as the herd moved toward the Aleutian Passes in a narrow belt so well-defined and so perfectly known. It naturally follows that if any action is to be taken to preserve the Pribilof herd from depredations, repeated as fast as a transfer of flags can be made, the protection given must not be restricted to the limits of Bering Sea, but must reach to those defined by the Tribunal of Arbitration.

To refrain from acting until all the rights involved have been deliberated upon and decided is simply to encourage rapacity; and immunity from seizure for a few years more, upon the claim that any flag other than the American, English, or Russian protects a sealer from interference, means not only the loss of permanent employment to thousands of people, but the end of every hope for the restoration of the revenue of a quarter of a million annually, which our country so long enjoyed.

It is not to be believed that any friendly power would permit its flag to be used as a cover for the further perpetration of such wrongful acts, especially as they are known to have been the subject of anxious consideration by two great nations, resulting, finally, in an attempt to settle the points at issue by arbitration, and it is more than probable that the masters of many sealing vessels would not hesitate to hoist any foreign flag, or even to carry fraudulent papers, to reduce the risk of seizure.

Therefore, should you fall in with a sealing vessel flying any flag other than the American, or the English, or claiming to belong to any other country or producing papers in proof of such a claim, you will inform the master that suspicion attaches to his vessel, and you will proceed to warn him not to seal anywhere within the limits specified in the President's proclamation, making the proper entries in his log book. Should he desire a license for sealing in the Bering Sea, similar to those given vessels under our flag or that of Great Britain, you are authorized to give it, provided he consents to have his arms secured under seal and agrees to conform in all other respects to the requirements laid down.

Any such vessel, previously warned, found to have been engaged in sealing within the limits referred to, whether he has accepted a license or not, you will seize and send, with everybody on board and with sufficient force to insure delivery, to the nearest United States port having telegraphic communication with Washington, directing the officer put in charge to telegraph the Navy Department immediately upon arrival.

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

[Inclosure—Translation of telegram.]

WASHINGTON, *June 18, 1894.*

Commander CLARK,
Commanding United States Naval Force in Bering Sea.
(Care Navy Pay Office, San Francisco, Cal.)

Replying to your No. 144, confidential, June 3, revoke immediately your circular letter of May 28, No. 14. Closely confine self to instructions from the Department; seize under the award only United States vessels and British vessels. Do not interfere with the vessels of other nationality if colors and papers are regular. False colors and ship's papers can not protect American vessels or British vessels. This order does not countermand or conflict with paragraph 13, secret instructions, May 4, 1894.

HERBERT.

U. S. S. CONCORD,
Unalaska, June 20, 1894.

SIR: I inclose herewith a copy of the orders given the officer in charge of Camp Herbert at Alitak Cape.

Should the time limit in paragraph 2 of these orders not meet with your approval, I beg that steps be taken to inform the officer when he should return.

Very respectfully,
C. F. GOODRICH,
Commander, U. S. N., Commanding.

The COMMANDER OF THE U. S. NAVAL FORCE IN BERING SEA.

[Inclosure.]

U. S. S. CONCORD,
Alitak Bay, June 14, 1894.

SIR: You will relieve Ensign Marbury Johnston, United States Navy, in the command of the detachment landed at Cape Alitak.

You will carefully observe the movements of all vessels entering or passing Alitak Bay, particularly the transfer of any cargo to another vessel or to the shore.

You will provide twenty rubber blankets for use in the camp.

As it is most important not to be observed, you will take such precautions as will minimize the chances of discovery either of your camp, your boat, or your observatory.

You will enter in a notebook the date of arrival, or passing, the name (if possible), the rig, and any peculiarities of build, equipment, painting, etc., that may serve to identify the vessel or vessels you see.

About the middle or end of June it is the practice of sealing vessels to rendezvous at some point outside of Bering Sea preparatory to entering therein, where they are met by a steamer to which the skins already taken are transshipped. Such transshipment, within 4 leagues of the United States, is in violation of the revenue laws, viz, Revised Statutes, sections 2867 and 2868, which you will carefully examine.

Should any transshipment occur in your presence, you will at once seize and hold the vessel into which the cargo is transshipped, pending the arrival of a ship of the Bering Sea fleet.

Should any United States vessel come into the port of Alitak, you will show the commanding officer these orders, give him any information in your possession that he may require, and be governed by such instructions as he may give you.

You will continue (making up) the scheme of surveying begun by Mr. Johnston.

If not relieved before the 15th of July, make the best of your way with your party to St. Paul, Kadiak, and thence to Unalaska, reporting to the senior officer there present.

Should your presence be detected by a sealing vessel, board her and warn her in due form, or seize her and hold her until my return, according to the necessities of the case.

Respectfully,
C. F. GOODRICH,
Commander, U. S. N., Commanding.

Naval Cadet CHESTER WELLS,
United States Navy.

[Inclosure.]

U. S. S. CONCORD,
Lazy Bay, Kadiak Island, Alaska, June 14, 1894.

SIR: I have the honor to make the following report on the work of the detachment under my command at Camp Herbert, Lazy Bay, Alaska:

June 5, landed and established the camp.

June 6, located the observatory and mounted the long glass. At 10 a. m. sighted the *Concord* in company of a schooner bearing SE., distant about 20 miles. The *Concord* finally towed schooner to within 10 or 12 miles of harbor and at 2.30 dropped her, the schooner standing up under sail behind the point to the eastward of Alitak Bay and the *Concord* steaming away to the southward and eastward. The schooner had two masts, a new suit of sails forward, and an old main trysail. Lost sight of the *Concord* about 4.30.

June 7, at 3 a. m., sighted a schooner standing in. Recognized her later as the same schooner towed by the *Concord* the preceding day. She passed the entrance to Lazy Bay at 11 a. m. and stood on up the bay. In the afternoon sent a party of two around Concord Peak with orders to observe the movements of the schooner without being seen, and with the remainder of the party began a survey of Lazy Bay. At 3 sighted same schooner standing out. Kept out of sight until she had passed. Reconnoitering party returned and reported that the schooner had anchored about 2 miles from a native village, sent a boat to the village, and upon its return had gotten underway and stood out of the bay.

June 8, at 7 a. m., sighted a steamer coming around the NW. end of Kadiak Island. She rounded Cape Alitak at 10.15 and at 11 passed entrance to Lazy Bay, standing up the bay. She had a black hull, one mast stepped just forward of the pilot house, no head booms, carried a staysail (set), and a main trysail (not set), deck house extended from pilot house to some distance abaft smoke-pipe. Smoke pipe black, small and high, extending to half way between deck and hounds of masts, carried one white boat on port quarter, one anchor davit, stern round. At noon left the camp in charge of Naval Cadet Wells and followed the steamer with an armed party in the dinghy. Skirted the west shore of Alitak Bay inspecting all bights and inlets. Passed a native village containing 15 or 20 houses, 1 church, and a well-populated cemetery. Found the steamer anchored off the head of a deep inlet near a settlement which looked like a salmon cannery. As there were no schooners in sight returned to camp, arriving at 9.20 p. m.

June 9, nothing sighted. Sent out shooting parties and put up two signals for surveying.

June 10, raining hard and blowing all day. Very thick weather. Posted lookout on lower hills. Nothing sighted.

June 11, foggy and thick. Nothing sighted.

June 12, during the forenoon had the surveying party at work. In the afternoon shooting parties went out. Two natives from the village visited the camp. Told them we were a surveying party.

June 13, raining and blowing all day. Both tents leaked. Nothing sighted.

June 14, at 5 a. m., U. S. S. *Concord* came in and anchored. Turned over the camp to Naval Cadet Chester Wells and reported on board.

Very respectfully,
MARBURY JOHNSTON,
Ensign, United States Navy.

Commander C. F. GOODRICH, U. S. N.,
Commanding U. S. S. Concord.

NAVY DEPARTMENT, BUREAU OF NAVIGATION,
Washington, June 22, 1894.

SIR: I have to transmit herewith, for your information, copies of instructions sent by the honorable Secretary of the Treasury under date of June 13 to the commanding officer of the revenue steamer *Rush*.

Very respectfully,

F. M. RAMSAY,
Chief of Bureau.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea.
(Care Navy Pay Office, San Francisco, Cal., U. S. S. *Mohican*.)

[Inclosure.]

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., June 13, 1894.

SIR: By direction of the President you will immediately, upon the receipt hereof, report by letter to the honorable Secretary of the Navy, for duty with your command, in connection with the United States naval forces, for the preservation of the fur seals in the Northern Pacific Ocean and Bering Sea, after the arrival of the *Rush* at the Seal Islands, and when notified by Assistant Secretary Hamlin that he has no further use for the vessel.

You are informed that, in addition to these duties, it is expected that your command will perform the regular duties of a revenue cutter wherever practicable. You will be diligent in enforcing the laws against the importation of intoxicating liquors and breech-loading rifles and ammunition therefor into the Territory of Alaska.

You will also attend to the enforcement of the provisions of the act of Congress dated March 2, 1889, relating to the protection of the salmon fisheries of Alaska, which prohibits the erection of dams, barricades, or other obstructions in any of the rivers of Alaska with the purpose or result of preventing or impeding the ascent of salmon or other anadromous species to their spawning grounds.

Herewith is transmitted for your information copy of Department letter of the 2d of February last, giving the names of certain parties who have been authorized to occupy the islands specified therein in Alaskan waters, for the propagation of foxes during the year 1894; and you will afford the parties named such protection as is extended to other people and property in the settlements in Alaska.

You are informed that these orders are considered as secondary to any instructions that may be given to you by the honorable Secretary of the Navy or the senior naval officer commanding the Bering Sea fleet, and are not intended to interfere in the least with your duties in conection with the naval forces after those duties shall have been entered upon by you.

It is not expected that you or the officers of your command shall be put to any expense on account of the subsistence of any person received on board for transportation.

You will take on at San Francisco sufficient fuel to enable the vessel to reach Seattle, and at that place you will receive on board a full supply at the lowest price obtainable.

A contract has been entered into with Messrs. Dunsmuir & Sons to furnish at Dutch Harbor, Comax, British Columbia, steaming coal at $8.50 per ton from ship's tackles, and at $9.50 per ton from the wharf of the North American Commercial Company; also to furnish fresh water at one-half cent per gallon.

Copies of Department circular of April 14, 1893, regarding the killing of fur-bearing animals in Alaska are inclosed.

Respectfully, yours,

J. G. CARLISLE, *Secretary.*

Capt. C. L. HOOPER,
Commanding Revenue Steamer Rush, San Francisco, Cal.

NAVY DEPARTMENT, BUREAU OF NAVIGATION,
Washington, June 26, 1894.

SIR: I have to inform you that the U. S. S. *Marion* will not be assigned to duty in connection with the squadron under your command.

The U. S. S. *Bennington* is cruising in the waters of Central America, and it is not probable that she will be available for duty in Bering Sea during the present season.

The revenue cutter *Rush* will sail from San Francisco for Unalaska, via Sitka, about July 1. Assistant Secretary Hamlin, of the Treasury Department, will be a passenger on board of the *Rush.*

Very respectfully,

F. M. RAMSAY,
Chief of Bureau.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea.
(Care Navy Pay Office, San Francisco, Cal.)

NAVY DEPARTMENT,
Washington, June 26, 1894.

SIR: I have the honor to transmit herewith a copy of a letter dated June 6, 1894, marked A, from the commanding officer of the United States naval force in Bering Sea, inclosing a copy of a communication from the collector of customs at Sitka, dated June 5, marked B, requesting assistance in enforcing section 1955 of the Revised Statutes.

Inclosures marked C and D, copies of orders to the commanding officers of the revenue cutters *Corwin* and *Rush*, indicate what action in the premises has been taken by the commanding officer of the Bering Sea fleet.

Very respectfully,

H. A. HERBERT,
Secretary of the Navy.

The SECRETARY OF THE TREASURY.

[Inclosure A.]

U. S. S. MOHICAN (THIRD RATE),
Sitka, Alaska, June 6, 1894.

SIR: I have the honor to inform the Department that the collector of the port of Sitka, Mr. Benjamin P. Moore, applied to me yesterday for any assistance I could give him, in preventing violations of the statute laws and the Treasury regulations in the Territory of Alaska, stating at the same time that reports had been received about vessels that were smuggling liquor, and that disturbances among the Indians were liable to follow.

I told him that the revenue cutter *Rush* could come up to Sitka by way of the inside passage, and that the *Corwin*, which was coaling here, could be diverted for five or six days from patrol duty, but that I wished him to send a written statement to me, representing the necessity for the presence, or at least the appearance, of a revenue vessel at different points among the islands.

His statement is herewith inclosed and copies of orders given to the commanding officer of the *Corwin* and sent to the commanding officer of the *Rush*. There is time, I am sure, for the Department to revoke, or at least modify, by telegraph, the instructions to the latter vessel, as I am informed that she will be delayed sailing later than the time at first anticipated.

Very respectfully,
C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Forces in Bering Sea.

The SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.

[Inclosure B.]

OFFICE OF THE COLLECTOR OF CUSTOMS,
Port of Sitka, Alaska, June 5, 1894.

SIR: I have the honor to make the following statement with the hope that in so doing you will see your way clear in assisting me in my official duty.

It has been the practice, and more so at the present time than ever, for smugglers to take small sloops to Fort Simpson, British Columbia, there load up with liquors, and proceed to the different islands in Alaska, and dispose of the same to the natives. I have done all in my power to prevent this unlawful practice, but, owing to the lack of steam facilities at my command, find it impossible to enforce section 1955 of the Revised Statutes, which these smugglers violate. Besides being a violation of the above section, the selling of liquor to Indians may cause loss of life, for though the Indians are peaceful enough when sober, it is a conceded fact that when intoxicated they are more or less anxious for bloodshed.

My inspector afloat on board the steamer *City of Topeka*, which has just left, reports having passed several small sloops, which he is confident were loaded with liquor, but he was powerless to take any action. I also received a letter of Missionary Gould, of Klawak, by this mail, informing me that the Indians around that place are receiving considerable liquor, and asks that something be done to prevent the smuggling of same.

I therefore most respectfully ask that you order the revenue cutter *Corwin* to proceed at once, through the inland passage to Mary Island, with instructions to board all vessels she may meet on the way, and seize those violating the section of the Revised Statutes above cited. I would also suggest that the revenue cutter *Rush* be also instructed to come up by way of the inside passage, sparing as much time as you can possibly allow her to do for this work.

For your information I would state that the principal smuggling is done between Mary Island, through Tongas Narrows and Clarence Straits. If you can comply with my request, I feel satisfied that your action will be appreciated as much by the Secretary of the Treasury as myself.

Very respectfully, BENJAMIN P. MOORE,
Collector.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea.

[Inclosure C.]

U. S. S. MOHICAN (THIRD RATE),
Sitka, Alaska, June 5, 1894.

SIR: Your orders dated May 28 are hereby revoked, and you will please communicate with the collector of the port of Sitka and will cruise where, in your judgment, the services of your vessel are required in dealing with the violations of the customs laws, to which he has referred in a letter dated June 5, a copy of which is herewith inclosed.

You will please return to Sitka not later than the morning of the 12th, and will coal immediately.

Very respectfully, C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

The COMMANDING OFFICER U. S. REVENUE CUTTER CORWIN.

[Inclosure D.]

U. S. S. MOHICAN (THIRD RATE),
Sitka, Alaska, June 6, 1894.

SIR: I have the honor to inclose herewith copy of a letter from the collector of the port of Sitka, and to authorize you to come up to Sitka by way of the inside passage, calling at different points where it is probable that liquor is being landed or that outbreaks among the Indians are liable to occur. But except disturbances are seriously threatened, and at points where the *Pinta* could not arrive until it is too late, you will not allow this duty to prevent your reaching Sitka within six days of the date on which you would expect to arrive if coming up direct.

Coal immediately at Sitka and then proceed in accordance with orders dated May 12.

Very respectfully, C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

The COMMANDING OFFICER U. S. REVENUE CUTTER RUSH.

NAVY DEPARTMENT,
Washington, June 27, 1894.

SIR: I have the honor to transmit herewith, for your information, copies of the instructions issued to the commanding officer of the United States naval force in Bering Sea, for the purpose of carrying out the provisions of the award rendered by the Tribunal of Arbitration at Paris, under the treaty between the United States and Great Britain, concluded at Washington February 29, 1892, marked No. 1.

Inclosure marked No. 2 is a copy of correspondence which has passed between this Department and the commanding officer of the Bering Sea fleet, in regard to the latter's interpretation of certain paragraphs of his instructions, and showing this Department's action in the premises.

Attention is invited to paragraph 2 of a letter dated June 13, 1894, addressed to this Department by the commanding officer of the Bering Sea fleet, which is appended to inclosure No. 2.

Very respectfully,

H. A. HERBERT,
Secretary of the Navy.

The ATTORNEY-GENERAL OF THE UNITED STATES.

[Inclosure.]

NAVY DEPARTMENT,
Washington, June 29, 1894.

SIR: I have to transmit, herewith, a copy of a letter of the 9th instant, addressed to the Assistant Secretary of State by the United States consul at Victoria, British Columbia, reporting the release of certain vessels which had been seized by the British naval force, in the North Pacific, for violating the laws for the preservation of the fur seals.

The Department regrets to state that your misinterpretation of its orders and instructions has not only prevented the seizure, until shown that such violation of law was committed after a service of warning, by the force under your command, of all vessels which had violated the provisions of the award. but has caused the release of certain vessels seized by the British cruisers cooperating with you in carrying out its concurrent regulations.

As soon as practicable after the receipt of this letter you will place yourself in communication with the senior British naval officer in Bering Sea and inform him that your orders are to seize all vessels found to have violated the provisions of the award, whether they have been previously warned or not.

In order to prevent further misunderstanding, and to insure coordinate action by yourself and the British commanders, this action on your part must not be delayed.

Very respectfully,

H. A. HERBERT,
Secretary of the Navy.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea,
U. S. S. Mohican.
(Care of Navy Pay Office, San Francisco, Cal.)

[Inclosure.]

CONSULATE OF THE UNITED STATES,
Victoria, British Columbia, June 9, 1894.

SIR: When I wrote on the 5th instant I supposed the decision then reported as to the seizure of the British schooners *Triumph*, *Favorite*, and *Annie C. Moore* was final. Later, however, the sealers, who were greatly dissatisfied with it, presented the matter to Rear-Admiral Stephenson, and with the aid of the American example in the case of the *Minnie*, and strong representations, succeeded in having the decision reversed. He promised not to present the schooners to the court, and they were released from custody late in the evening of the fifth.

Of the 23 Victoria sealing schooners which remained on this side of the Pacific this season, 16 have now returned to port. They are all intending to start for Bering Sea during the coming three or four weeks, and are making preparations to that end. The regulations as to the sealing of implements on board while en route to the sea as telegraphed from Ottawa are loose and indefinite, but that will probably be corrected by letter.

I am, sir, your obedient servant,

LEVI W. MYERS, *Consul.*

Hon. EDWIN F. UHL,
Assistant Secretary of State.

U. S. S. MOHICAN (THIRD RATE),
Sitka, Alaska, June 13, 1894.

SIR: I have the honor to report to the Department that the commanding officer of H. B. M. S. *Pheasant* informs me that he has been ordered to Esquimalt for stores, but that a British vessel will be sent to Unalaska immediately, calling at Sitka and St. Paul on the way.

When the *Pheasant* leaves there will be no British vessel in or near the Bering Sea, unless one has been sent from the Asiatic Station.

Very respectfully,

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Forces in Bering Sea.

The SECRETARY OF THE NAVY,
Washington, D. C.

(Copy to State Department, July 3, 1894.)

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, July 2, 1894.

SIR: I have the honor to inform the Department that this vessel sailed from Sitka on the 14th of June, making zigzag courses across the Gulf of Alaska, with the *Adams* and *Corwin* keeping parallel to us, and distant about 25 miles on either hand. In this way a wide belt was covered where vessels would be met if sealing was still being carried on, as the herd is late this year in moving toward the passes.

As no vessels were seen, and as the track of the herd between the Gulf of Alaska and the passes, and in the Bering Sea to the Pribilof Islands is clear of them, it is evident that those overhauled when the fleet first arrived on the station, and those that returned to Victoria after being warned by H. B. M. S. *Hyacinth*, are about all that attempted to seal on this side of the Pacific. It seems equally certain that those that cleared for ports in Asia have remained on the coasts of Siberia and Japan.

A number that have been warned are now waiting at Sitka, Sand

Point, and Unalaska for the season to open, but others have disappeared, and several masters are known to have stated that on account of the expense of keeping their vessels manned until August 1, and of the trouble they were having with hunters paid in advance, they might as well begin sealing again and take the risk of seizure. As our cruisers have generally entered Bering Sea about the time that the greater part of the herd passes in, the sealing vessels that could not be accounted for might have retreated to inlets along the coast with the intention of hunting sea otter until our vessels had gone to the westward, and then of getting on the track of the herd and of picking up stragglers.

I determined to search the coast thoroughly with this vessel on the way to Unalaska, giving the *Yorktown* and *Corwin* orders to do the same, and will, as I have already informed the Department, keep one, and perhaps two, vessels patrolling outside Bering Sea in July, and if need be in August.

At 11 p. m. on the 16th anchored in Port Etches, where we found the *Corwin*, she having arrived a few hours before. At 7 a. m. on the 17th the *Yorktown*, which we left coaling at Sitka, came in. As the weather was thick all remained at anchor, this ship without steam making repairs.

At 1 a. m. the 18th the trading schooner *Lydia*, of Kadiak, entered the harbor, was boarded, and her arms put under seal. A little later a steamer was sighted near the entrance, but as she turned and stood to the northward, the *Corwin* was sent in pursuit. Prince William Sound not having been surveyed and the *Corwin* not having returned by 9 a. m., sent the *Yorktown* to look for her. Both returned at noon, the *Corwin* having overtaken and boarded the steamer, which proved to be the *Pacific*, of San Francisco, belonging to the Alaska Commercial Company and bound for one of their stations, at Port Norwell. At 1 p. m. the *Yorktown* and *Corwin* sailed for a cruise to the westward.

At 6 a. m. the next day got under way bound for Cooks Inlet, but at 7.45 a. m. went in chase of a schooner to the eastward, but on coming up with her found that she was the *Lydia*, boarded in Port Etches. The next morning, the 20th, the weather was thick and a gale came on from the eastward, but having sighted the Chugatz Islands, ran before it through the northern entrance to Cooks Inlet. At 10 a. m. fell in with the *Yorktown* and received information about several vessels in the neighborhood and about Chiseck Bay, said to be a resort for sea-otter hunters, on the west side of the inlet. Attempted to find it, but the weather came on thick, and we got into foul ground about 20 miles south of Kalgin Island, with only 6 fathoms where the chart showed 20 and 25. When the mist cleared saw a schooner to the eastward, standing down the inlet. Overhauled her at 5.30 p. m. Proved to be the *Kadiak*, of San Francisco, belonging to the Alaska Commercial Company, but with no arms or ammunition on board. At 8 p. m. started ahead again, up the inlet, and at 9.30 p. m. came to in 10 fathoms.

Got under way at 6 a. m. the 21st, and about noon, having passed Kalgin Island and sighted the East Foreland, found that we were shoaling the water fast, hauled toward the eastern shore and anchored in 8 fathoms. Found when the weather cleared that we were near a station called Fort Kenai.

At 2.20 p. m. a small steamer was seen close inshore, running to the northward, but a gun being fired she came to and was overhauled. Proved to be the *Jennie*, of San Francisco, in the salmon-fishing business, and with no arms on board.

Having learned that navigation was unsafe above this point, great changes having taken place in the position of the shoals and the tide running nearly 5 knots past the Forelands, I sent Ensigns Hughes and Senn with the steam launch and whaleboat to examine the inlet farther up. They left the next morning at 2.20, with the flood, and returned with the ebb at 1 p. m., having run 80 miles, landed twice for information, and boarded the schooner *Alice* 5 miles above the North Foreland.

At 1.45 p. m. got under way and steamed down the inlet, and having run below the latitude of the shoals we had encountered on the 20th, stood to the westward till near the shore and then along it to the northward. Anchored in 13 fathoms, 12.20 a. m., the 23d.

At 1.45 a. m. sent Ensigns Harrison and Senn with the steam launch and whaleboat to look for Chiseck Bay. At 6.20 Ensign Senn returned in the whaleboat with the cockswain and oiler of the steam launch, both slightly scalded about the hands and arms, one of the boiler tubes having blown out. Got under way and picked up the steam launch, and anchored again at 11 a. m. Repairs to the launch having been completed, Ensigns Harrison and Senn left the ship again at 9.20 p. m.

At 9 a. m. the 24th the boats returned, Ensign Harrison reporting that he had found Chiseck Bay and boarded the bark *Colusa* and schooner *Melancthon*, both of San Francisco. Their sails were unbent and rigging unrove, the crews being away engaged in salmon fishing.

The weather being thick and foggy, did not get under way until 8 o'clock the next morning, the 25th. Stood down the inlet, and during the night passed through Shelikof Strait.

At 6 a. m., the 27th, overhauled the American schooner *Spray*, and, as she had no papers on board, towed her to Sand Point, where the collector, after taking measurements, informed me that she was under 5 tons and, therefore, could not be compelled to carry papers of any kind. I had all arms and ammunition on board placed under seal and gave the master the customary warning.

Left Sand Point at 3.40 p. m., and at 5.50 took the British schooner *Wanderer* in tow, she having been seized by the *Concord* near Kadiak Island June 9. Anchored in Beaver Bay at 10.40 p. m.

Got under headway at 4.30 a. m., the 29th, having been detained the day preceding by the dense fog. At 11 a. m. sighted a vessel inshore, ran in and boarded her. Proved to be the steamer *Dora*, already warned. At 4.30 p. m. ran inshore and boarded the fishing schooner *Uranus*. She had no arms or spears on board, but as they could easily be procured, gave her the customary warning.

At 3 a. m., the 30th, entered Unimak Pass, made the entrance to Unalaska in a dense fog, and at 2.40 anchored in Dutch Harbor, where we found the *Adams* alongside the coal ship *Iroquois*. Hauled fires, and as we have been under way nearly all the time, when not coaling, since leaving Port Townsend, will have the boilers scaled and machinery overhauled before going to sea.

Very respectfully, C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

The SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.

No. 159.] U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, July 2, 1894.

SIR: I have the honor to acknowledge the receipt of the Department's confidential letter, dated May 26, 1894, and to inclose herewith a copy of Circular to Commanding Officers, No. 17, issued in compliance with the instructions therein contained.

Very respectfully,

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

The SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.

[Inclosure—Confidential.]

[Circular to Commanding Officers, No. 17.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, July 2, 1894.

Confidential instructions dated May 13, 1894, are hereby amended so as to accord with paragraph No. 6, Department's printed order dated May 4, 1894, which directs the seizure of United States and British vessels and persons found to be or to have been engaged in fur-seal fishing within the area of the award during the time in which fur-seal fishing is forbidden. You will therefore seize any such vessels or persons, even if they have not been previously warned.

Vessels already warned and licensed will not be interfered with so long as they adhere strictly to the conditions therein imposed.

Hereafter notice of warning must be entered upon the vessel's log, and must not be entered upon her register.

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

No. 162.] U. S. S. MOHICAN (THIRD RATE),
Unalaska, Alaska, July 2, 1894.

SIR: I have the honor to inclose herewith a copy of Commander Goodrich's report upon the seizure of the British schooner *Wanderer*.

The papers referred to are being retained here, as they may be needed should a British cruiser arrive before the *Concord* returns.

The *Wanderer*, with Ensign Twining and three men on board, was towed here from Sand Point by this vessel.

Very respectfully, C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The SECRETARY OF THE NAVY,
Washington, D. C.

[Inclosure.]

U. S. S. CONCORD,
Unalaska, June 16, 1894.

SIR: I have the honor to report that on June 9, in latitude 58° 21′ north, longitude 150° 22′ west, I boarded the British sealing schooner *Wanderer*, bound to St. Paul, Kadiak. Although previously warned and her arms (ostensibly all) sealed, the boarding officer found concealed on board arms and ammunition suitable to the killing of fur seals.

The sea being rough I towed the *Wanderer* in St. Paul and the next day I formally seized her, put an officer and three men on board, and directed the master to proceed to Unalaska.

My action is based on the last half of section 10 of the act of Congress, April 6; the next to the last sentence in the "Regulations governing vessels" etc.; the Bering Sea award act, paragraphs 1 and 3 of your confidential instructions of May 13.

Copies are inclosed of my declaration of seizure, my letters to the master of the *Wanderer* and to Ensign Twining, of the master's protest, and my comments thereon, and of statements of the boarding officer, Lieut. E. F. Leiper, and of two enlisted men who aided in the search.

Very respectfully,
C. F. GOODRICH,
Commander, United States Navy, Commanding.

The COMMANDER OF THE U. S. NAVAL FORCE,
Bering Sea.

No. 160.]

U. S. S. MOHICAN (THIRD RATE),
Unalaska, Alaska, July 2, 1894.

SIR: I have the honor to inclose herewith reports from the commanding officers of the *Concord*, *Ranger*, *Adams*, *Alert*, *Petrel*, *Albatross*, and *Corwin*, and to submit the following statement regarding the present stations and proposed movements of the different vessels.

The *Concord*, now cruising on the line of the passes, came in yesterday at 5 p. m., and after reporting and getting her mail went to sea again at 8 p. m. She will return here about the 8th or 10th, and, after coaling, will sail for a cruise to the eastward on the track of the seal herd.

The *Yorktown* is now cruising between the Gulf of Alaska and the passes, and is expected here by the 10th instant.

The *Ranger* and *Alert* are at Pribilof Islands.

The *Adams* arrived here on the 29th of June, and left on the 21st to cruise in the vicinity of the Sannak and Shumagin Islands, and to return here by the 18th instant, following the coast line. She is to leave an officer with a party in camp at Isanotski Straits during the time that she is cruising to the eastward of that point.

The *Albatross* is cruising in the eastern part of the zone referred to in paragraph 17 of the Department's confidential instructions dated May 4, 1894, until obliged to return here for coal.

The *Corwin* is cruising to the eastward of the passes, and is looked for here any day.

Copies of orders issued to commanding officers of vessels additional to those already sent are also inclosed.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The SECRETARY OF THE NAVY,
Washington, D. C.

[Inclosure.]

U. S. S. CONCORD,
Unalaska, June 16, 1894.

SIR: I have the honor to report my arrival in Unalaska at 9.53 p. m., to-day, in obedience to your orders of May 11.

The following report of cruising done by the *Concord* from 2.55 p. m., June 1, to 9.53 p. m., June 16, is respectfully submitted (noon to noon):

June 1 to 2.—Left Dutch Harbor and swung ship outside. Stood through Unalga Pass and then to the eastward. Meridian position, 53° 46′ N., 162° 01′ W. Run by p. l. 184.5.

June 2 to 3.—Stood to northward and westward. Swung ship. Saw a few seals. Meridian position, 54° 43′ N., 159° 22′ W. Run by p. l. 143.8.

June 3 to 4.—Stood to northward and eastward. Saw a few seals. Meridian position, 56° 22′ N., 155° 06′ W. Run by p. l. 197.9.

June 4 to 5.—Entered Lazy Bay and established Camp Herbert (see special report). Meridian position, Lazy Bay. Run by p. l. 47.

June 5 to 6.—Left Cape Alitak. Examined Russian Harbor. Boarded American schooner *Kodiak* off Tugidak Island. Run by p. l. 20.

June 6 to 7.—Stood to southward and eastward until 2 a. m. in lat. 55° 43′ N., long. 153° 30′ W., then to the northward and eastward. Meridian position, 56° 46′ N., 152° 36′ W. Run by p. l. 180.

June 7 to 8.—Stood to northward. Entered Killiuda Bay in search of sealers. Found and warned American schooner *F. F. Feeney.* Stood to southward and eastward until 4.50 a. m., in lat. 56° 02′ N., long. 151° 40′ W., then to northward. Meridian position, 56° 53′ N., 151° 21′ W. Run by p. l. 173.8.

June 8 to 9.—Stood to southward and eastward until 9 p. m., in lat. 55° 54′ N., long. 150° 20′ W., then to northward. Meridian position, 57° 47′ N., 150° 22′ W. Looking for sealers on Portlock Bank.

June 9 to 10—Stood to northward until 4 p. m., when boarded the British schooner *Wanderer* in lat. 58° 21′ N., long. 150° 22′ W.; then with *Wanderer* in tow stood in toward St. Paul. Meridian position, St. Paul. Run by p. l. 104.

June 10 to 11.—Formally seized the *Wanderer* and put a prize crew on board. Left St. Paul and stood to the eastward. Meridian position, 57° 59′ N., 151° 30′ W. Run by p. l. 37.4.

June 11 to 12.—Stood to northward and eastward until 7 p. m. in lat. 58° 31′ N., long. 149° 58′ W., then stood to the southward until 5 a. m. in lat. 57° 19′ N., long. 150° 00′ W., then stood to the northward and westward. Meridian position, 57° 30′ N., 151° 46′ W. Run by p. l. 187.9.

June 12 to 13.—Stood toward St. Paul to see if the *Wanderer*, which had been left to prepare for trip to Unalaska, had sailed. Found American schooner *Kodiak* (boarded June 6) in a hazardous position off St. Paul, and towed her clear. Anchored at St. Paul. Boarded the American schooner *Ida Eta.* Left St. Paul, towing out the *Wanderer*, and stood to the southward and westward. Meridian position, 57° 17′ N., 152° 02′ W. Run by p. l. 87.

June 13 to 14.—Cast off *Wanderer* at 8 p. m., east of Tugidak Island. Returned to Lazy Bay, and Ensign Johnston was relieved by Naval Cadet Wells in the charge of Camp Herbert. Meridian position, Lazy Bay. Run by p. l. 121.

June 14 to 15.—Left Lazy Bay; boarded and warned the American schooner *Seventy-Six*, then stood toward Sand Point. Meridian position, 55° 26′ N., 158° 40′ W. Run by p. l. 190.

June 15 to 16.—Arrived at Sand Point and boarded the British schooners *San Jose*, *Walter L. Rich*, and *Venture.* Left Sand Point and stood toward Unalaska. Saw seals in large numbers at entrance to Isanotski Strait. Meridian position, 54° 22′ N., 164° 08′ W. Run by p. l. 266.

June 16.—Arrived at Unalaska at 9.53 p. m. Run by p. l. 105.6.

Total number of miles run, 2,236.3; total amount of coal burned, 290 tons; schooners boarded, 8; schooners warned, 2; schooners seized, 1.

Respectfully,

C. F. GOODRICH,
Commander, United States Navy, Commanding.

The COMMANDER OF THE U. S. NAVAL FORCE,
Bering Sea.

[Inclosure.]

U. S. S. RANGER (THIRD RATE),
Dutch Harbor, Unalaska, June 18, 1894.

SIR: I have the honor to submit the following report of the movements of this vessel from June 5, 1894, to date:

In obedience to your instructions of June 5, 1894, left Sitka, Alaska, June 5, 1894, at 4 p. m. Inclosure No. 1, prepared by the navigator of this vessel, under my direction, shows the track of the vessel, number of seals seen, localities visited, and weather experienced during this period.

No sealers were sighted or boarded during the cruise.

On June 12, 1894, spoke the American schooner *Corona*, of San Francisco, and found she was bound in Sand Point with cargo of lumber, carrying heavy deck load.

June 8, 1894, found the U. S. S. *Yorktown* in heavy fog at anchor on Albatross Bank, off St. Paul. Paid an official visit to her commanding officer, and delivered to him the sealed instructions sent by you, together with her mail brought from Sitka by this vessel.

Having met the *Yorktown*, I did not proceed to St. Paul or Sand Point.

June 15, 1894, at 8.20 a. m., met the U. S. S. *Alert* in Akutan Bay, hove to, and her commanding officer came on board this vessel; delivered to him the sealed orders sent by you from Sitka, together with her mail.

The *Ranger* arrived at Dutch Harbor, Unalaska, at 10.44 p. m., June 15; found the U. S. S. *Alert* and U. S. revenue steamer *Bear* in port.

The Alaska Commercial Company's steamer *Bertha* arrived at Iliuliuk from San Francisco June 15, bringing mail for the different vessels of the fleet.

The *Alert* left the harbor in obedience to her instructions at 8.20 a. m., June 17.

At 9.15 p. m., June 16, the *Concord* arrived in port. I at once reported to the commanding officer, delivered to him the sealed instructions sent to him by this vessel, together with her mail.

June 17, the Hawaiian steamer *Alexander* came in and anchored. I immediately sent an officer to board her. Inclosure No. 2 gives all particulars.

At 5.30 a. m. June 18, hauled alongside the collier *Iroquois* and at 7.30 began coaling ship; finished coaling at 4 p. m., having taken on board $84\frac{235}{2240}$ tons of coal; also transferred to the *Concord* during the forenoon the stores brought for her from Mare Island. Hauled out from the collier at 8.30 p. m. and will leave here at about 11 o'clock this p. m., in obedience to your orders.

The United States Fish Commission steamer *Albatross* arrived here at 6.30 p. m., this date. I delivered to her the sealed instructions sent by you, her mail, and the medical stores brought from Mare Island.

Mail for the *Mohican*, *Adams*, and *Yorktown*, which arrived by the steamer *Bertha*, has been left in the post-office at Iliuliuk.

I inclose herewith in a separate envelope, addressed to the Assistant Secretary of the Navy, an "intelligence report" of Whatcom, Wash., which I had prepared in accordance with your instructions of May 15.

Since writing the above I find that, owing to the state of the weather, it will not be expedient to leave this port until daylight the 19th instant.

Very respectfully,
E. LONGNECKER,
Commander, U. S. N., Commanding.

The COMMANDING OFFICER U. S. NAVAL FORCE,
Bering Sea.

[Inclosure.]

U. S. S. ADAMS (THIRD RATE),
Unalaska, June 30, 1894.

SIR: I respectfully submit the following report of the cruise of this vessel from Sand Point to Dutch Harbor:

Left Sand Point at 8 o'clock on the evening of June 27, and set the course for this port. At 10.05 that night boarded American schooner *Corona*, of San Francisco, Master W. J. McAllip, bound for Port Townsend with 691 seal skins in casks as freight from Sand Point. She had no sealing implements on board. Served a warning on her and necessary papers regarding regulations bearing on fur-seal fishing.

About midnight on the 27th the weather became very thick and continued so until we arrived at the entrance to the anchorage. At 10.30 on the morning of the 29th, in latitude 53° 25′ north, longitude 165° 15′ west, boarded the American schooner *Everett Hayes*, 37.48 tons, Master Charles Rainford. She had been previously boarded by the *Concord* on June 26. She had no firearms or sealers' outfit on board. She was prepared for sea-otter hunting.

At 5.05 p. m. on the 29th, came to anchor in Dutch Harbor. Boarded here the American whaling bark *Horatio*. She had been previously sealed by the *Petrel* June 23; seals intact.

Boarded steam whaler *Wm. Bayles*, previously boarded by *Ranger* June 21; seals intact.

Boarded Hawaiian steam whaler *Alexander*. She was previously boarded by the *Ranger*. Sealed two shotguns and one rifle on board.

Very respectfully,
J. J. BRICE,
Commander, U. S. N., Commanding.

COMMANDER IN CHIEF U. S. NAVAL FORCES,
Bering Sea.

[Inclosure.]

U. S. S. ALERT (THIRD RATE),
Unalaska, Alaska, June 4, 1894.

SIR: I have the honor to report that the *Alert* left Port Townsend at 4 a. m., May 17, and proceeded directly to latitude 58° 20′ north, and longitude 140° west, which point was reached at 11 a. m., May 22.

From that point westerly courses were steered, keeping about 70 miles from the shore, as nearly as possible, until in the vicinity of the island of Kadiak.

I then ran into St. Paul for information and coal, arriving there at 9 a. m., May 26. I could learn nothing there of the location of the seal herd or sealing fleet, except that it was believed by the most reliable persons that the sealing vessels had orders to return to port by May 1 for instructions. There were no sealing vessels in St. Paul or vicinity. Seventy-one tons of coal, at $13 per ton, were then taken on board at the wharf, and the *Alert* left and proceeded to sea at 8 a. m., May 27.

When off Cape Greville, a strong SE. wind and sea being encountered, I stood off shore on the starboard tack under fore and aft sail and easy steam for about 60 miles; then tacked and stood to the southward about 80 miles, when, the wind and sea having abated, I steamed to the westward off Kadiak and Trinity islands, continuing the search for the seal herd and sealing fleet, nothing having been seen up to this time indicating the presence of either.

I continued to the westward, having foul weather and a very heavy sea, also thick fog, until in the vicinity of Unimak Pass, through which I steamed on the morning of the 3d, thence to Unalaska, where I arrived at 7 p. m., and found the *Yorktown* in Dutch Harbor coaling.

No vessels were sighted between St. Paul and Unalaska and no seals were seen.

The *Alert* is now alongside the coal steamer *Willamette* at Dutch Harbor. I expect to fill up with coal and leave here to cruise off the passes to the eastward on Wednesday next, the 6th instant.

I have the honor to inclose herewith a tracing of the track of this vessel from Port Townsend to Unalaska, and a report on Blue Canyon coal, as required by your instructions dated May 13 and 16. Also a list of all vessels spoken, boarded, and warned, no seizures being made.

Very respectfully,

WM. A. MORGAN,
Commander, United States Navy, Commanding.

The COMMANDING OFFICER BERING SEA FLEET.

[Inclosure.]

U. S. S. ALERT (THIRD RATE),
Unalaska, Alaska, June 16, 1894.

SIR: I have the honor to report that the *Alert* left Dutch Harbor at 3.30 o'clock p. m., June 6, and proceeded to cruise off the passes to the eastward of Unalaska, going to the southward through Unalga Pass and continuing off that pass and Unimak until the afternoon of the 8th, at which time she went through that pass and cruised to the northward of the passes, looking into the bays and bights of the land for sealing vessels.

The weather was favorable up to the night of the 8th, at which time the barometer commenced to fall from 30.17 to 29.90, and thick and threatening weather came on. I continued the search for sealers between the islands of Akun and Akutan, until the weather became too thick and stormy to make any progress, when I anchored in a small bay on the east side of Akutan Island from Sunday noon until Tuesday morning.

I then ran out across Unimak Pass, but the weather continued unfavorable, a southeast gale and thick weather, with the barometer down to 29.50, compelling me to seek shelter at 8 p. m. in the bay I left in the morning, where I remained until 7 a. m., the 15th.

At 8 a. m., the 15th, I fell in with the U. S. S. *Ranger* off the NE. point of Akutan Island, and received from Commander Longnecker your order dated June 5. I then proceeded to the westward in obedience thereto.

When off Unalaska Bay I ran into Dutch Harbor for coal, arriving there at 3.30 p. m. I expect to fill up the bunkers and proceed to sea on the evening of the 16th or the morning of the 17th.

The U. S. S. *Ranger* is the only vessel sighted since leaving Dutch Harbor on June 6.

I forward herewith the track tracing required by your instructions dated May 13 and 16.

Very respectfully,
WM. A. MORGAN,
Commander, U. S. N., Commanding.

The COMMANDING OFFICER U. S. NAVAL FORCE,
Bering Sea.

[Inclosure.]

[Original left for the commanding officer of United States naval force, Bering Sea.]

No. 5.]
U. S. S. PETREL (FOURTH RATE),
At Sea, off Unalaska, June 6, 1894.

SIR: I have the honor to report that in obedience to your order dated U. S. S. *Mohican* (third rate), Port Townsend, Wash., May 12, 1894, I have cruised in the Akutan, Unalga, and Umnak passes, and in those between the Fox and Andreanof Group, and am now returning to Unalaska to arrive there at this date as specified by you.

After a careful inspection of all of the above passes I am able to state that no sealing vessels have to this date entered Amchitka Pass or any of the passes to the eastward, including Unimak, unless it has been since the dates of the *Petrel's* visits to said passes.

The only seals seen during the cruise were one bull seal off Ugamak Island, Unimak Pass, May 30, and two bull seals off Gareloi Island, Amchitka Pass, June 3.

I have the honor to submit a chart showing the *Petrel's* cruise of the passes.

When off the settlement of Nazan, Atka Island, Andreanof Group, brought to a steamer which proved to be the Alaska Commercial Company's steamer *Dora*. Found aboard of her eight survivors of the wreck of the American whaling bark *James Allen* and took them aboard the *Petrel*, at the urgent request of the master of the *Dora*.

The *James Allen* was wrecked at 1.30 a. m., May 11, 1894, upon the shoals which extend from the eastern end of Amlia Island to Aglidakh Island, both of the Andreanof Group.

Anticipating what would be your instructions under the circumstances, I proceeded at once to the scene of the wreck, and after a most diligent and careful search failed to find other survivors. The only trace of the wreck found after two days' search was the dingy of the *James Allen*, which is now aboard the *Petrel.*

The report of the loss of the *James Allen*, and the details of the cruise in search of the survivors, I beg leave to submit in another communication.

I have the honor to be, very respectfully,

W. H. Emory,
Lieut. Commander, U. S. N., Commanding.

Commander C. E. Clark, U. S. N.,
Commanding U. S. Naval Force in Bering Sea.

[Inclosure.]

No. 7.]

U. S. S. Petrel (Fourth Rate),
Dutch Harbor, Unalaska, June 8, 1894.

Sir: As an opportunity occurs to-day of forwarding mail matter via British Columbia, I have the honor of transmitting for the information of the Department copies of my reports to the commanding officer of the United States naval force in Bering Sea of the cruise of the *Petrel* in the passes of the Aleutian Islands, and of the wreck of the American whaling bark *James Allen.* The original of these reports will be left at this place for Commander C. E. Clark, with whom this ship has not as yet fallen in with.

In obedience to an order delivered by the *Albatross*, the *Petrel* sails to-morrow, June 9, to cruise off the Pribilof Islands until relieved by another vessel.

A list of arrivals and departures of the Bering Sea fleet at this port up to noon of this date is respectfully submitted:

Petrel, arrived at 2 p. m., May 22; sailed 7 p. m., May 29.
Albatross, arrived at 3 p. m., May 26; sailed 6 a. m., May 31.
Concord, arrived at 3 p. m., May 29; sailed 3 p. m., June 1.
Yorktown, arrived at 9 p. m., May 30; sailed 12 m., June 4.
Alert, arrived at 7 p. m., June 3; sailed 4 p. m., June 6.
Petrel, arrived at 3 p. m., June 6; will sail 1 p. m., June 9.

I have the honor to be, very respectfully,

W. H. Emory,
Lieut.-Commander, U. S. N., Commanding.

Hon. Hilary A. Herbert,
Secretary of the Navy.

[Inclosure.]

U. S. S. Albatross, Bering Sea Squadron,
Dutch Harbor, Unalaska Island, Alaska, May 30, 1894.

Sir: I have the honor to report the arrival of this vessel at Dutch Harbor, Unalaska, on the afternoon of the 26th instant.

The first two days of passage, after leaving Queen Charlotte Sound, were partially clear, with moderate swell from southward and westward. The remaining five were run in dense fog; no observations. I picked up the 100-fathom curve off the Shumagin Islands on the night of the 24th, at 11 p. m., and verified my position by one hour's run on course south (magnetic). Up to this time found current S. 71° E. (true), 75 miles in four days. Because of want of sights were unable to note daily set to eastward; calculated on 70 miles. When on 100-fathom curve, found myself correct in latitude, and 5 miles to eastward in longitude.

The morning of the 25th, it commenced to blow a gale from northeast, true. Ran the ship on until 7 p. m. in thick weather, unable to see more than 2 or 3 miles. Then located the position to be by D. R. 37 miles E. ½ S. (magnetic) from Scotch Cap, Unimak Island. Hove to for the night, head on shore, and drifted, as calculated, toward entrance to Unimak Pass, 25 miles. At 4.10 a. m., May 26, filled away, gale still at its height, and picked up Scotch Cap when within 1 mile. Passed through Unimak Pass with heavy sea and cross swell, wind hauling through from eastward. Overcast and foggy weather to anchorage in Dutch Harbor, and unable to distinguish headlands over half a mile.

Found U. S. S. *Petrel* at the wharf, coaling. On Monday landed stores for U. S. S. *Concord;* coaled on Tuesday and Wednesday, taking 177 tons. Transferred eleven men with their effects, and Passed Assistant Engineer G. W. McElroy, to the *Concord*, which arrived on the afternoon of the 29th. Delivered to the commanding officers of the *Concord* and *Petrel* their mails and instructions sent in my care.

I sail to-morrow morning, 31st, for Attu.

I would advise not heaving to off Unimak Pass in less than 80 fathoms with a gale from northward and eastward, as the cross sea occasioned thereby, and heavy swell from the SSW. with the strong currents in the pass, occasionally trip the vessel and will cause heavy lurches in a man-of-war; as I can readily see. The only loss experienced by the *Albatross* was the carrying away and smashing of starboard lower boom and light box by a heavy sea on the morning of the 26th when standing through Unimak Pass.

No sealing vessels were sighted on the passage across.

I forward, herewith, the report of Passed Assistant Engineer Howard Gage on Blue Canyon coal.

Very respectfully,

F. J. DRAKE,
Lieutenant-Commander, United States Navy, Commanding.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea,
U. S. S. Mohican.

U. S. S. ALBATROSS, BERING SEA SQUADRON,
Unalaska, Alaska, May 28, 1894.

SIR: I have the honor to submit the following report regarding the Blue Canyon coal used on this vessel during the greater part of the run from Port Townsend to this place.

The coal, which was received at Fairhaven, Wash., was clean, contained very few lumps, and consisted almost entirely of fine coal. It is extremely friable, and becomes slack coal with very little handling.

It burns quickly with a long flame and leaves a body of dirty coke containing a high percentage of ash. It does not run together or form an adhesive clinker. The refuse consists of fine ashes and small clinker.

The soot formed does not adhere closely to the tubes, and is easily blown out with the steam tube sweeper.

The labor required to work the Blue Canyon coal is greater than required for Comox coal, but is not excessive.

The following figures taken from the steam log of this vessel express approximately the relative results ot Comox and Blue Canyon coal:

Percentage of ash: Comox, 13½; Blue Canyon, 17 per cent.

The distance that can be steamed at economical rates of speed with Comox coal is about 10 per cent greater than with Blue Canyon.

Very respectfully,

HOWARD GAGE,
Passed Assistant Engineer, United States Navy.

Lieutenant-Commander F. J. DRAKE, U. S. N.,
Commanding U. S. S. Albatross.

U. S. S. Albatross, Bering Sea squadron. Table of meridian positions, positions where course changed, and daily distances steamed per log.

Date.		Meridian positions.	Intermediate positions.	Distances.
				Miles.
April	20	Port Townsend, Wash	From Mare Island, Cal	893.4
May	1	....do	Run since April 26	131.1
May	9	....do	Run since May 4	224.2
May	17	48° 55′ N., 123° 20′ W		66.8
May	18	49° 45′ N., 124° 48′ W		83.1
May	19	50° 57′ N., 128° 47′ W	9 a. m., 50° 53′ N., 127° 59′ W. 3 p. m., 51° 01′ N., 129° 28′ W.	176.7
May	20	51° 54′ N., 133° 39′ W		197.2
May	21	53° 07′ N., 138° 24′ W		208.8
May	22	53° 37′ N., 144° 10′ W		217.5
May	23	54° 07′ N., 149° 59′ W		230.2
May	24	54° 30′ N., 156° 49′ W	11 p. m., 54° 36′ N., 159° 11′ W	241.4
May	25	53° 57′ N., 161° 48′ W	4.30 p. m., 53° 55′ N., 163° 03′ W	206.0
May	26	54° 08′ N., 166° 11′ W	6.30 a. m., 54° 17′ N., 164° 51′ W. 9 a. m., 54° 20′ N., 165° 42′ W. 10.30 a. m., 54° 15′ N., 166° 00′ W.	167.5
May	27	Dutch Harbor, Alaska		22.6
May	28	....do		
May	29	....do		
May	30	....do		

[Inclosure.]

U. S. S. ALBATROSS, BERING SEA SQUADRON,
Dutch Harbor, Unalaska Island, Alaska, June 12, 1894.

SIR: I have the honor to report the arrival of this vessel on return from cruise to Attu Island and along the Aleutian chain.

The *Albatross* sailed from Dutch Harbor at 6 a. m. May 31, with weather overcast, misty, and with drizzling rain. Arrived in Chichagof Harbor, Attu Island, on the 4th June, having made the run of 827 knots, per log, in seventy-eight hours. After getting clear of the Unalaska coast, the weather was clear and pleasant mostly during the remainder of the trip across.

On June 4, landed Lieut. W. V. E. Jacobs, United States Revenue Marine. his seaman, skiff, provisions, coal, and personal effects, at the settlement in Chichagof Harbor. Sent the carpenter with men and lumber on shore to prepare one of the Alaska Commercial Company's buildings for Lieutenant Jacob's occupancy. His quarters are commodious and comfortable, and well located at the head of the bay in the north end of the village.

I found that the winter had been a severe one on this island, and that the settlement of Aleut natives, numbering about 100 people, had been subsisting on a fish diet only for the past twelve weeks, all other provisions having been consumed. To relieve their immediate wants, and owing to their dilapidated and beggarly condition, and their appeal for help, I therefore had the paymaster issue, in equal shares, to the 30 families on shore, the following provisions from the ship's stores, of which they were greatly in need: One hundred and five pounds sea biscuit, 50 pounds white sugar, and 10 pounds tea.

From the otter hunters here I obtained information that the sealers avoid Chichagof, as well as the other harbors on Attu Island, and now go to a bay on the east side of Agattu, where fresh water, game, and fish are easily procured. Accordingly sailed for Agattu on the morning of June 5, weather thick and misty, and anchored at 2.15 p. m. in the bay mentioned, three-quarters of a mile from the beach in 15½ fathoms of water, good holding ground.

Sent parties on shore to examine the place, but found no positive evidence of sealers having been there. Fish, wild ducks, geese, and ptarmigan were obtained in abundance; quantities of driftwood were seen on the beaches.

As it came on to blow from southwest, and weather remaining thick, I decided to remain here for the night, and, there being no survey of the anchorage, I improved the opportunity to make a reconnoissance during the afternoon of the 5th, a tracing of which is herewith submitted. I have taken the liberty of naming the place McDonald Bay, in honor of Marshall McDonald, the United States Commissioner of Fish and Fisheries.

Got under way the morning of the 6th; weather thick, with fog and rain, and still blowing from southwest; shaped course to pass out between Attu and the Semichi Islands. Passed within 4 miles of the latter, but did not see them. Rounding into Bering Sea, laid course for the northern end of Kiska Island, having been informed at Attu that sealers sometimes go into Kiska Harbor to make repairs, and for fresh water and game.

At 8 p. m., June 6, weather still thick and foggy, sounded in 2,237 fathoms in latitude 52° 46′ 30″ north, longitude 175° 27′ east; position worked back from morning sight of the 7th. This shows an error in the position of the 1,000-fathoms curve on Coast Survey chart No. 9100. Sounded again on the morning of the 7th at 4 o'clock in 2,107 fathoms, latitude 52° 41′ 30″ north, longitude 176° 24′ east, by morning sights. Weather cleared up at 6 a. m. on the 7th.

From excellent time sights and cross bearings on Kiska Island, found the position of Buldir Island as placed on Coast Survey chart No. 9100, to be out in latitude and longitude as given in the accompanying hydrographic report. Also the position of Pillar Rock, on the west side of Great Kiska.

Anchored in Kiska Harbor at 3.30 p. m. June 7. During the night, and part of the next day, it blew a fresh southeast gale, with heavy rain and thick fog, but by noon of the 8th it had decreased in force. Got under way at 1.30 p. m. and steamed out of Kiska Harbor; cruised about, taking soundings off Little Kiska in a dense fog and rough sea until 5 p. m. As there were no signs of clearing I deemed it advisable to run in and pick up the land and anchor again in Kiska Harbor for the night.

Got underway the next morning, June 9, in a dense fog, sounding the way out of the harbor, and laid course to pass between the northeast end of Kiska and Chugal islands, which however, were shut in, and then shaped course for the northern end of Atka Island, steaming so as to be off the passes in the daytime.

Through information received from the Alaska Commercial Company's steamer *Dora*, which we met in Chichagof Harbor, I considered it necessary to call in at Nazan Bay to see if any assistance could be rendered to any of the crew of the whaler which was wrecked in May on the south side of Amlia Island, near Sbieznikof Harbor.

The passage from Kiska to Nazan Bay was made in a dense fog accompanied with rain and fresh breeze from the southwest. On the morning of the 10th ran in and picked up Cape Severnoi, Atka Island; the weather was thick, with frequent squalls of rain from southwest, making it impossible to see the land farther than half a mile. Anchored in the inner harbor, Nazan Bay, close to the settlement.

I interviewed the agent of the Alaska Commercial Company, Mr. Alexander Shaishnikof, and several of the hunters who had recently returned from the scene of the wreck on Amlia. From them I obtained the following information, which has doubtless reached you in more definite detail from Captain Emory, in his report of going to the rescue:

American bark *James Allen*, of San Francisco, 331 tons net, Captain Huntley, bound on two years' cruise in the Arctic, was wrecked on or near Aglidak Island reefs, east end of Amlia Island, about 2 a. m. May 11, while attempting to make Seguam Pass. She was running before a fresh blow from the southeast, weather thick; had had no observations of the sun for five days. Crew composed of 50 men, all told. Eight of them drifted about the south shore of Amlia until the 18th, when they sailed through Amlia Pass, looking for a settlement. They landed on the north side of Amlia, where they hauled up and repaired a hole, stove in the port bow of their whale boat (which I inspected on the beach at Nazan Bay). They then sailed for Seguam Island, and from there were piloted to the settlement at Nazan Bay by native hunters. While there, they were fed and clothed by the agent of the Alaska Commercial Company and put on board the steamer *Dora*, which sailed on the 1st June. The *Dora* falling in with the *Petrel*, the survivors were transferred to the latter vessel, which was then observed by the people at Nazan Bay to sail for the scene of the wreck. It is not known at Nazan Bay what became of another boat which got away from the wreck and was last observed by the rescued to be to seaward and windward of them on the morning of the 12th of May, and which the rescued were unable to reach owing to the disabled condition of their own boat preventing them from going on the starboard tack.

From a careful analysis of the events as related to me by the natives who have lately been to the scene of the wreck, and who have traversed the south shores of Amlia Island, I find that no trace or evidence of any description can be found showing that any other survivors of the ill-fated bark ever reached the shore. Neither have any bodies been observed among the wreckage which has been washed on the beach in various places. Hence, owing to the fact that thirty days have elapsed since the wreck occurred, and the information received as above, I felt justified in not attempting to make further search for the survivors, as it would not in any way have aided the cause of humanity, since exhaustive search has doubtless been already made by the *Petrel* under much more favorable circumstances of weather than those during the 10th when the *Albatross* was in Nazan Bay. During that time it was blowing fresh from the southwest with low barometer; it was overcast, thick and rainy, with a heavy sea outside. From our experience of the morning on entering Nazan Bay, it would have been impossible then to have lowered a boat off the south side of Amlia with any degree of safety, or to have approached sufficiently near to find the shore line without danger to the vessel under my command from the numerous outlying rocks and reefs of which but few are known. The agent and natives at Atka further informed me that it would be useless to attempt a search in such weather. Hence, I sailed from Nazan Bay, Atka Island, at 5.30 p. m., June 10, laying course to pass near the Seguam, Amukta, and Fox Islands passes on the way to Unalaska.

A fresh breeze was carried to this port, where we arrived at 2 a. m., June 12.

Found United States revenue-marine steamer *Bear* coaling alongside the ship *Iroquois*. The steamer *Lakme* is also here, having but recently returned from the Pribilofs, whither she went to convey the new agent, Mr. J. Stanley Brown.

The *Albatross* will go alongside the dock to take coal at once, and will leave here on the 14th instant for the Pribilofs, should circumstances and weather permit.

Very respectfully,

F. J. DRAKE,
Lieutenant-Commander, United States Navy, Commanding.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea,
U. S. S. Mohican.

[Inclosure.]

U. S. S. ALBATROSS, BERING SEA SQUADRON,
Dutch Harbor, Unalaska Island, Alaska, June 18, 1894.

SIR: After mailing to you my letter of June 12 relative to the cruise of this vessel to Attu and return to this port, a whaleboat from the wrecked whaler *James Allen* entered the habor and was towed in by the steam cutter of the *Bear*, which was returning from Iliuliuk at the time. This boat contained Captain Huntley and eight men, who had coasted along the chain of islands from the east end of Amlia to this port. Each night (except two, out of thirty-two) they were able to make a landing on the shore, where they camped for the night without any shelter except the clothes worn and two blankets, which were used as sails in the daytime. Their provisions consisted of mussels and seaweed and such fish as they could devise means to catch.

The captain informed me that five boats were lowered; one was stove alongside, and four got away from the wreck. Very soon after, two parted company with the captain's boat, namely, No. 1, which found its way to Nazan Bay, and whose crew were transferred to the U. S. S. *Petrel* by the Alaska Commercial Company's steamer *Dora*, and No. 2, containing first and second mates and nine men. The latter was the only boat which succeeded in getting away from the wreck with a boat outfit of oars, spars, sails, compass, and chart. The latest information concerning this boat places it off the north shore of Amlia Island on the 25th of May, standing in a northeasterly direction under sail; since then nothing has been seen of it. The captain's boat and No. 3 landed first on the north shore of Amlia, a few miles west of the scene of the wreck, and a few days afterwards sailed in company for Seguam. Watching the weather, they were able to make a landfall each afternoon, except two nights off Seguam and Amukta Islands, in which they scudded before a westerly gale, the captain's boat towing No. 3.

Off the Islands of Four Mountains No. 3 was capsized by accident, four men were drowned, and the remainder taken into the captain's boat, making a total of 23 in one boat at this period. One died the next day and was buried at sea. Passing to the northward, the captain shaped his course for Adugak Island and landed at an old village on Umnak, now deserted, about 8 miles from the southwest end. Of the 22 left, 3 more succumbed to hardships and died, reducing the number to 19. Several days were passed here in repairing the boat, collecting food and fuel, and resting. Ten men were left at this place, quartered in abandoned huts, while the captain and 8 others decided to push on to Unalaska for help, as the whaleboat was in such a condition that it would not safely carry the whole party. Ten days were consumed in making the passage along the north shores of Umnak and Unalaska, where he arrived safely on the 12th, as stated. In the interview which followed on board the *Bear* with Captain Huntley and his men, at which I was present, the following course was decided upon between Captain Healy and myself: First, the *Bear* to sail immediately to the rescue of the men left on Umnak Island and return to Dutch Harbor; second, the *Albatross* to search thoroughly the north shores of Unalaska, Umnak, Islands of Four Mountains, Yunaska, Chugul, Amukta, Seguam, and Amlia for the missing boat (No. 2).

It was decided that No. 2, unless capsized, would hug the north shore, which appears to have been the lee shore with the prevailing winds, and might possibly be found on some of the islands named above, with boat probably stove in landing. The *Bear* sailed the evening of the 12th, with threatening weather and strong westerly winds outside.

The *Albatross* was coaled with all possible dispatch and sailed at noon of the 13th. Off Cape Makushin encountered a heavy head sea and westerly gale, with mist and rain shutting in the land and making it impossible to continue the search with any degree of satisfaction. Returned to Dutch Harbor and anchored for the night.

Got underway at 5.30 a. m., the 14th (June), and proceeded with the search. Weather still boisterous, with heavy head wind and sea. Managed to keep the land close aboard, and examined it carefully with glasses from Dutch Harbor to the west end of Unalaska. Ran in to Chernofski Harbor the evening of the 14th and anchored for the night. Interviewed the natives at this settlement, but did not obtain any information of the missing boat.

Sailed at 5.30 a. m., the 15th, and continued the search around Cape Tulikski and along the north shore of Umnak for a distance of 20 miles. A heavy head sea and strong westerly wind, accompanied with rain and mist, compelled the search to be abandoned at this point, when the *Albatross* was put off shore under fore and main stay sails with the intention of working to the westward and taking up the search at the other end of the line, west end of Amlia Island, and work back to the eastward after the gale had subsided.

The afternoon of the following day made a close inspection of the shore line of Seguam on the north and west sides, from a distance of from 1 to 2 miles; then shaped course for Nazan Bay.

At 5 a. m., June 17, anchored in the inner harbor and interviewed the Alaska Commercial Company's agent and several otter hunters, in order Io ascertain if any additional information had been obtained from Amlia tsland or near the scene of the wreck, but with negative result.

Underway at 7, and made a careful search along the north shore of Amlia Island, keeping it close aboard and sounding the steam whistle every five minutes. The reverberation of sound from the whistle was very distinct, and would undoubtedly have aroused any of the survivors to action by displaying some signal.

From Amlia shaped course and passed close to Seguam, giving it a second inspection, but without result. While crossing Amukta Pass for Amukta Island, a heavy fog from the southwest shut down, which obscured the islands, and, with the strong currents found running in these passes, compelled me to abandon further search. Accordingly, course was laid to pass to the northward of the islands of Four Mountains. June 18 was accompanied with thick fog and passing light showers of rain and fresh southerly breeze, which prevented further search along the remaining north shore of Umnak Island. The course was then laid for Cape Cheerful, which was sighted at 1.40 p. m.

The *Albatross* anchored in Dutch Harbor at 6.30 p. m., having steamed 853 miles in search of the missing boat's crew, at the same time accomplishing additional patrol work along the passes and chain of islands westward as far as Atka Island. No sealers nor vessels were sighted, and no seals were observed during the cruise.

Very respectfully,

F. J. DRAKE,
Lieutenant-Commander, United States Navy, Commanding.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea,
U. S. S. Mohican.

[Inclosure.]

U. S. S. ALBATROSS, BERING SEA SQUADRON,
Dutch Harbor, Unalaska Island, Alaska, June 21, 1894.

SIR: I arrived on the 18th at 6.30 p. m., and could have left for my station on the 19th, had I not been compelled to wait for an opportunity to coal.

I shall leave here on this date at 8 p. m., and sail for the Pribilofs, and as soon as I fall in with the *Ranger*, which I understand has sealed orders for me, I shall proceed to obey them without returning to this port until coal is consumed or sealed orders direct otherwise.

I have two naturalists, Messrs. Townsend and Miller, who are to be landed on the Pribilof Islands to report upon the number and condition of seals, rookeries, etc., and to make photographs and notes of same. They are to be landed, as has been done in the past seasons, by the 10th of July, and will be engaged from that time until the latter part of August in completing their work. I therefore beg leave to request that, if it will be consistent with your schedule of patrol work, to permit such duty to be assigned to the *Albatross* between the 10th of July and the latter part of August as will enable the naturalists to be transported by this vessel, with their outfit, between St. Paul and St. George Islands as occasion requires.

Very respectfully,
F. J. DRAKE,
Lieutenant Commander, United States Navy, Commanding.

To Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea.

[Inclosure.]

REVENUE-MARINE STEAMER CORWIN,
Port Etches, Alaska, June 18, 1894.

CAPTAIN: I have the honor to report that, in obedience to your order of 2 a. m., this date, I got underway at 2.25 and steamed out in search of steam schooner, seen off the entrance of the harbor. At 3.20 fog lifted; sighted the steamer to the westward, steering west by north; hauled for her. At 6.35 Point Eleanor, Knights Island, bore northeast by east 2 miles; stopped and boarded steamer *Pacific*, of San Francisco, owned by the Alaska Commercial Company. She was from Egak village, for Point Norwell, with supplies for man tending company's black fox ranch at that point. He went in behind Porpoise Rocks about 1 a. m. and landed a canoe on the beach for the company's agent at Port Etches. All his papers are at Egak in hands of Alaska Commercial Company's agent. Name, number, and tonnage mark are according to law, except name on bow, which is wanting.

I inclose boarding officer's report for violation of customs law. The steamer will return to Egak this afternoon.

Very respectfully,

FRED. M. MUNGER,
Captain, United States Revenue-Cutter Service.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea.

No. 164.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, July 3, 1894.

SIR: I have the honor to call the Department's attention to paragraphs 10, 11, 12, 14, and 15 of the report of Lieutenant-Commander Emory, dated July 2, 1894, from which it appears that the seal herd has been much diminished, or that it is late this year in arriving at the rookeries. As the past winter is said to be the most severe that can be remembered, and as the sealers report that they have never experienced such weather at this season of the year, it is probable that a great, if not the greater, part of the herd is still to the eastward. This is certainly so if, as many believe, the progress of the herd depends largely upon the temperature of the water. As there is at present little to tempt sealers to enter Bering Sea, except to raid the rookeries, I will, in the absence of information different from that I now possess, keep part of the fleet cruising, until the middle of this month, between Unalaska and Kakiak Island, ordering one or two of them to go as far as Sitka.

As a matter of economy, a vessel several hundred miles to the westward of Sitka could well afford to run there for coal, since the Government now has over 2,000 tons there, part of which is likely to be left exposed to the heavy rains.

This will leave a sufficient number of vessels in Bering Sea to keep one at each of the Pribilof Islands and one or two for guarding the passes and cruising within the limits specified in the Department's confidential instructions, dated May 4, 1894.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

The SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.

No. 165.] U. S. S. MOHICAN (THIRD RATE),
Unalaska, Alaska, July 3, 1894.

SIR: I have the honor to state that, in my opinion, the objects which the Department had in view when the vessels of the Bering Sea fleet were detached from the different stations to which they belonged have practically been accomplished. It has now been shown, beyond a reasonable doubt, that all the vessels that attempted to seal on the track of the head, along the coast of Alaska and in the Bering Sea, have been overhauled or have returned to port; and that none of the larger sealing fleet which cleared for the coast of Asia has ventured to enter the limits of the award. The masters of sealing vessels boarded seem to have been of the opinion that there was little hope of escape this year when so many cruisers were patrolling the sea. That the seals will arrive later at the Pribilof Islands this year than usual, there can be no doubt, but by the first of August the cruising ground and the work of the fleet will be limited practically to the eastern part of Bering Sea. Therefore I respectfully suggest that the vessels belonging to the Asiatic station be detached in August, and that the *Petrel*, which has the smaller steaming radius, and must be very uncomfortable if caught in the September gales, should be ordered first.

If the Department decides to send instructions to this effect, a copy sent by way of Port Townsend might reach here ahead of one sent by way of San Francisco.

The North American Commercial Company's steamer *Lakme*, which takes this mail, sails within six days after arrival and might be reached by a telegram. It is understood that the steamer *Willamette* leaves Comox, British Columbia, about July 31.

Very respectfully, C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

The SECRETARY OF THE NAVY,
Washington, D. C.

U. S. S. PINTA (FOURTH RATE),
Sitka, Alaska, July 4, 1894.

SIR: I have the honor to report that on the arrival here this morning of the British sealing schooner *C. D. Rand*, of Vancouver, I sent an officer on board. The seals which had been placed on the arms by the U. S. S. *Mohican* were found to be broken, and this was explained by the statement of the officers that, while at sea, the Indian crew, nineteen in number, had mutinied. The crew held possession of the vessel for seven days, and it was necessary to take the seals off the arms for defense. The crew, at the time the vessel was boarded, was secured under hatches. I at once notified the governor and, at his request, a sufficient force was sent from the *Pinta* to remove the men to the jail at this place.

Very respectfully, your obedient servant,
W. T. BURWELL,
Lieutenant-Commander, United States Navy, Commanding.

The CHIEF OF THE BUREAU OF NAVIGATION,
Navy Department, Washington, D. C.

[Telegram.]

NAVY DEPARTMENT,
Washington, July 5, 1894.

COMMANDING OFFICER STEAMER RUSH,
San Francisco, Cal.:

When ready for sea proceed with *Rush* to Port Townsend. Orders await you there in care of hydrographic office. Upon completion of cruise with Assistant Secretary Hamlin report to commanding officer, *Mohican*, in Bering Sea.

RAMSAY,
Acting Secretary Navy.

NAVY DEPARTMENT, BUREAU OF NAVIGATION,
July 6, 1894.

SIR: I have to transmit herewith, for your information, a copy of a letter dated June 23, 1894, from the United States consul at Victoria, British Columbia, addressed to the Department of State, reporting the names of the sealing schooners that have already cleared for Bering Sea, with crews made up of white men and Indians.

Very respectfully,

F. M. RAMSAY,
Chief of Bureau.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea.
(Care Navy Pay Office, San Francisco, Cal.)

[Inclosure.]

No. 293.] CONSULATE OF THE UNITED STATES,
Victoria, British Columbia, June 23, 1894.

SIR: Up to date the following-named British sealing schooners have cleared from this port for Bering Sea. In addition to the names I give the names of the masters, number of white crew, number of Indians, and date of clearance:

Vessel.	Master.	White.	Indians.	Date of clearance.
Saucy Lass	R. Crowell	6	20	June 11
Beatrice	D. G. Macauley	5	22	Do.
Triumph	C. Cox	8	34	June 16
Sapphire	W. Cox	8	34	Do.
Favorite	L. McLean	6	32	Do.
Annie C. Moore	C. Hackett	9	30	Do.
Katharine	Jas. Gould	5	24	June 18
Ainoko	Geo. Heater	6	24	Do.
Borealis	S. Meyer	6	21	June 19
Minnie	S. Jacobson	6	20	Do.
Henrietta	J. Daley	5	20	June 20
Labrador	N. W. Whiteley	5	14	June 21
Kilmeny	J. Jamieson	2	13	June 22

These vessels carry the prescribed special flag, are licensed, and their arms are sealed. Of the twenty-three or twenty-four Victoria schooners which remained on this coast this season, fourteen returned to this port after being warned. The rest remained over at different places along the Alaskan coast and islands.

The belief is expressed here that but few of the schooners now on the Japan and Russian coasts will come to Bering Sea this year, as they are not furnished with spears and can not secure Indian crews. The spear business is an experiment this year, but proprietors are hopeful that during August and September satisfactory catches will be made. They say at that season the seals will be fat and inclined to sleep on the water, and that while in that condition they will be easily taken with the spear, in the hands of the Indians.

I am, sir, your obedient servant,

LEVI W. MYERS, *Consul.*

Hon. EDWIN F. UHL,
Assistant Secretary of State, Washington, D. C.

[Confidential.]

NAVY DEPARTMENT,
Washington, July 7, 1894.

SIR: Please direct the vessels under your command to leave Bering Sea as follows:

The *Alert*, *Yorktown*, *Ranger*, *Adams*, *Albatross*, and *Corwin*, for San Francisco, on or about September 15, next, or as soon thereafter as their services are no longer required.

The *Concord* and *Petrel* for the Asiatic station, on or about September 15, next, or as soon thereafter as their services are no longer required.

The *Rush* for San Francisco, not later than October 1, next.

The *Bear* for San Francisco, not later than November 1, next.

You are authorized to leave, with the *Mohican*, for San Francisco, after the departure of the vessels mentioned in paragraph 2 of this order, and when you consider your presence no longer necessary in the waters of Bering Sea.

Very respectfully,

H. A. HERBERT,
Secretary of the Navy.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval
Force in Bering Sea, U. S. S. Mohican.

NAVY DEPARTMENT, BUREAU OF NAVIGATION,
Washington, July 11, 1894.

SIR: Referring to your letter of the 6th ultimo, I have to inform you that your action in receiving on board of the vessel under your command the survivors of the wrecked whaler *James Allen* and in proceeding to the scene of the wreck in search of the missing is approved by the Department.

Very respectfully,

F. M. RAMSAY,
Chief of Bureau.

COMMANDING OFFICER U. S. S. PETREL,
(*Care Navy Pay Office, San Francisco, Cal.*)

NAVY DEPARTMENT,
Washington, July 11, 1894.

SIR: I have the honor to transmit herewith a copy of a report from the commanding officer of the U. S. S. *Petrel*, in regard to his having taken on board of the vessel under his command the survivors of the American whaler, *James Allen*, wrecked in Bering Sea, May 11, last, and of his action in proceeding to the scene of the wreck in search of the missing.

Very respectfully,
H. A. HERBERT,
Secretary of the Navy.

The SECRETARY OF THE TREASURY.

[Inclosure.]

[Original left for the commanding officer of United States naval force, Bering Sea.]

U. S. S. PETREL (FOURTH RATE),
At Sea, off Unalaska, June 6, 1894.

SIR: As I had the honor to inform the commanding officer of the Bering Sea fleet in my communication No. 5, current series, the steamer *Dora*, of the Alaska Commercial Company, was boarded off Nazan, Atka Island, at 11 a. m., June 1, after which, at the urgent request of the master of the *Dora*, the survivors of the wrecked American whaler *James Allen* were taken aboard the *Petrel*. The list of the survivors is respectfully inclosed (marked A).

The following is a concensus of the statement of Joseph Duarte, third mate, one of the survivors.

> I had charge of the deck during the mid watch on May 11. By the captain's order we were carrying all plain sail to main topgallant sail and running before a moderate gale from the southeast. Weather overcast, thick, and raining and sleeting. Course magnetic northwest by west. About 1.20 sighted land and breakers ahead, ported the helm, and was bringing the ship by the wind on the starboard tack, when the captain, whom I had called, ordered the helm to be put up and ordered me to haul up the mainsail and brace in the yards. I told him he would wreck the ship on the reef, but he said it was Seguam Island of the seventy-two pass and not a reef. I went aft and was carrying out the captain's order when the ship struck, and in a short time was a total wreck, being carried over the reef and sinking the other side of it. All the boats were stove in except two, the whale boat of which I had charge and the second mate's boat. When I left the vessel I headed to follow the second mate's boat who steered for Seguam Island, but finding my boat partially stove on the port side, went about and sought refuge on the southern side of Amlia Island at the first place where the shore permitted, about five hours' sail from the wreck, remaining there in camp seven days. Then embarked and passed through the narrow strait west end of Amlia Island. Camped for three days on Amlia, northern side, and then made for Seguam Island, arriving there about the 24th May; we lived on roots during this time. We went to Seguam working our way to Unalaska, thinking it to be the nearest settlement. At Seguam met five native hunters, who supplied us with sea lion's meat, and who guided us to Nazan on Atka Island, where we were taken care of by Mr. Schizonkoff, the Alaska Commercial Company's agent, until the 1st of June, when we embarked on the *Dora* and were the same day transferred to the *Petrel*.
>
> The second mate's boat had in it, the second mate, William H. Allen; the first officer, Thomas Yellot, whose boat had been stove in, and the boat steerer belonging to the whale boat. They said they would make for Unalaska.

I beg leave to state that I proceeded directly to the scene of the wreck and passed two days in the vicinity making a careful and diligent search. The only result was the recovery of the dingey of the lost whaler in latitude 52° 11′ north, longitude 171° 39′ west, Amukta Pass.

The whaling bark *James Allen* of San Francisco, reported to be of 350 tons register, was wrecked on the reef extending from the eastern end of Amlia Island to Aglidakh Island, Andreanowski group. The position was identified by Mr. Duarte and Mr. McIntyre, the two mates now aboard this vessel. The *Petrel* was taken as near these dangerous reefs as possible and an officer sent in a whale boat accompanied by the third mate to make a thorough search. They returned reporting about what could be seen from the *Petrel*—no signs of survivors or wreckage, in fact the coast for many miles is a wave-dashed perpendicular bluff with no landing, if any one had succeeded in escaping far from the wreck.

The *Petrel* cruised around Seguam Island and the vicinity in search of the only other boat known to have escaped the wreck, but without success. The same has been done along the coast of the islands on our return to Unalaska. The first mate had his shotgun with him, and it is believed that in the second mate's boat he has reached Unalaska Island, as he is well acquainted with this locality.

The search has not continued further, as I have visited every point possible to fall in with the missing boat and the two mates now aboard can not suggest anything else to be done.

The survivors were in need of clothing when they arrived aboard this vessel. I ordered them to be clothed from the paymaster's stores.

If the whaleboat containing the first and second mates and others of the lost whaler have not arrived at Iliuliuk, Unalaska, I respectfully suggest that they may be found along the coast of this island, toward the western end, on their way to Unalaska

The surgeon's report of the physical condition of the survivors of the *James Allen*, now aboard the *Petrel*, is respectfully inclosed and marked B.

I have the honor to be, very respectfully,

W. H. Emory,
Lieutenant-Commander, United States Navy, Commanding.

Commander C. E. Clark,
Commanding United States Naval Force in Bering Sea.

A.

List of the survivors of the American whaler, James Allen.

Joseph Duarte, third mate; Charles C. McIntyre, fourth mate; John Roach, boat steerer; Joseph Gonzales, boat steerer; Peter T. Peterson, seaman; Max Gohre, seaman; Thomas Gordge, cook; Frederick Hill, landsman.

B.

U. S. S. Petrel (Fourth Rate),
Unalaska, Alaska, June 6, 1894.

Sir: I have the honor to submit the following report of the physical condition of the eight survivors of the shipwrecked bark *James Allen*, who were received on board this ship June 1. Of the eight men examined by me, I found that the principal complaint was from frosted feet. The following is a detailed report:

Chas. McIntyre, fourth mate, both feet and toes puffed and inflamed from frost. Thomas Gordge complained of pains in legs; after two days' treatment he seems perfectly well. He had worn rubber boots. Also complained of tingling sensations in his fingers, also due to cold. He had one large contused wound on left hip. This responded rapidly to treatment. Otherwise he is in good condition. Frederick Hill, rather anæmic, otherwise in good condition. Max Gohre complains of frosted feet. An acute diarrhea with some fever developed the second day, probably due to change of diet. John Roach and John Gonzales, no complaints; apparently in good condition. Joseph Duarte, slight pains in legs. P. Peterson, rather weak and anæmic.

At the end of five days all the men were in good condition, except McIntyre, who is still under treatment for his feet.

Very respectfully,
OLIVER D. NORTON,
Passed Assistant Surgeon, United States Navy.

Lieut. Commander W. H. EMORY, U. S. N.,
Commanding U. S. S. Petrel.

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, July 11, 1894.

SIR: As this ship is about to sail for the Pribilof Islands and as the coal steamer *Wilamette*, which will take the mail to Comox, British Columbia, may leave before our return, I have the honor to inclose herewith copies of orders issued to vessels and circulars issued to commanding officers. Also reports received.

The *Mohican* will return to Unalaska in time to meet the mail steamer due from Sitka about July 25.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The SECRETARY OF THE NAVY.

[Inclosure.]

U. S. S. YORKTOWN (THIRD RATE),
Kachemak Harbor, Alaska, June 22, 1894.

SIR: I have the honor to submit the following progress report of this vessel since my last communication of the 11th instant, at Sitka.

I completed coaling at 9 a. m. on the 15th instant and sailed at once, pursuing the course verbally directed in conversation with yourself, for Port Etches, Prince William Sound, at which point we arrived at 7.30 a. m. 17th instant, meeting the flagship and revenue steamer *Corwin*.

I will note for your information that reliable observations for longitude, both ante and post meridan, and for latitude at noon incline me to believe that Cape St. Elias and Kayak Island are placed too far to the northward and westward by about 8 or 9 miles. A statement from the navigator in regard to this subject is inclosed.

The weather becoming threatening at Port Etches our departure was delayed during the 17th instant.

At 1 a. m. a steamer having entered the mouth of the harbor and then withdrawn to the northward in a suspicious manner the *Corwin* was dispatched in her pursuit at once, followed by this vessel at 9 o'clock the next morning. The *Corwin* was met about 10 miles distant to the northward and westward, having overhauled the steamer, and both returned at once to Port Etches, where we received instructions to proceed in company to the southward and westward, the two vessels to cover a maximum of area in conjunction with each other.

I directed the *Corwin* to take the coast line starting inside of Montague Island, and proceeded with the *Yorktown* to zigzag down the coast, having a rendezvous about noon at the western side of the Barren Islands group, the *Corwin* passing to the northward and this vessel to the southward.

With Amatuli Island (Barren Island group) bearing north-northwest, distant 6 miles, a suspicious sheet of broken water, surrounded by numerous birds, was reported ahead about 200 yards distant. The vessel was steered around this appearance of the water, and a sounding with the Thompson machine had at once, which showed about 25 fathoms depth. The ship was going 10 knots and the lead was used without a register, running out 50 fathoms. The nearest chart sounding is 90 fathoms. At 500 yards distant the water deepened to 50 fathoms. As the appearance and condition of the water remained constant and in the same position, thus differing from the usual tide rip indications, I lowered a boat, but was obliged to recall it before reaching a definite conclusion, the weather becoming unsettled.

At 2 p. m. met the *Corwin* as per agreement and signaled her to proceed upon programme, which was for her to search to the eastward of St. Augustine Island, and then take the north shore of Shelikof Straits, this vessel to run into Kachekmak Bay and return, taking the southward shore of Shelikof Straits.

At 5 p. m. sighted a schooner under the land, Kannai side, near Graham Bay, standing to the northward, which was brought to by one shot from the starboard 6-inch forecastle gun. She proved to be the American schooner *Mary A. Anderson*, of Kadiak, A. Green, master and owner, with a license to trade and was bound for that port. Nine muskets, carried to trade with the Indians, were sealed and a warning delivered.

At 11 p. m. anchored in Kachekmak Bay with thick weather, fog, and frequent squalls. At 6 a. m., the weather having moderated, sent an officer on shore to communicate with the local fur-trading agent and ascertained as follows: That two vessels, the *Jayhawker* and *Prosper*, which remained here all winter, left in May. The former was a steamer and was engaged in whisky smuggling; the latter could engage in sealing. The *Ida-Etta*, which had been warned by the *Bear*, was afterwards here. The *Alice*, which had been warned by the *Adams*, after leaving her skins and paying off in Sitka, came here and is now somewhere about Cook's Inlet. She has only one man aboard and will probably do no sealing. The *Ethel*, a trading schooner, is at Soldovi now. The bark *Calusa* and the schooner *Melancton* are now at Snug Harbor (Chessik Bay), Cook's Inlet. Not many schooners put in here in July; most of them come in during May. They say they come for coal, but it is really to get information regarding men-of-war or Treasury agents. Last year during May there were six or eight schooners here at one time. A Russian war vessel was here last year. The *Albatross* and *Rush* have been here during the past two years. On the other side and farther up Cook's Inlet sea otter are found. The Indians have gotten none yet. Last year twelve were caught. Rough weather this year has prevented them from going out in their boats. Snug Harbor (Chessik Bay) is a headquarters for sealers. At Saldovi the Alaska Commercial Company and North American Commercial Company each have a store. The store here at Coal Bay belongs to the Alaska Coal Company. No coal is being mined now. The company is financially crippled. The place where the mine is situated is about 16 miles farther up the bay (on west side) from spit anchorage. Coal is handled by lighters, waiting for favorable condition of the tide. There is no wharf as yet built. Price of coal $5 per ton alongside. At present the men who were working the coal mine have gone to a gold mine at the head of Cook's Inlet. No coal has been mined here for a year. It would take a long time to coal a vessel. Her own force could get it out in case of an emergency.

It seems to be evident that the neighborhood is used by the otter schooners and it is probable that the work of the regular traders is frequently unlawful. It is also probable that these vessels catch seals whenever an opportunity offers, and therefore all of them should be caught and warned.

At 7.30 a. m. weighed anchor and steered to the southward; off Dangerous Cape fell in with the *Mohican*, bound north. Sent a boat on board with a preliminary report of operations and proceeded for Shelikof Strait.

After passing Cape Bede (Kannai) the weather became bad, with heavy wind and sea from the eastward, accompanied by fog and rain. At 1 p. m., having nothing in sight ahead, with the Barren Islands by run 6 miles distant, and with two boilers reported leaking, I considered it unwise to run into the Shelikof Strait, and headed back for Kachekmak Bay, where the vessel was anchored at 6.30 p. m. of the 20th instant. The foggy weather continued during the following day, and the delay was utilized repairing leaking tubes.

At early morning of the 21st a schooner was reported off Soldovi, distant 15 miles; sent the steam launch to her and found her to be the trading schooner *Kadiak*, of St. Paul, already warned this season by the *Mohican*, *Corwin*, and *Bear*. The steam launch was sent to inner harbor of Soldovi and found no other vessels.

At 8 a. m. the 22d instant started fires in two boilers, the weather having cleared, and at noon sailed again for Shelikof Strait, with the intention of adding a third boiler, when it was reported ready for service.

The weather remained fine, permitting me to zigzag through Shelikof Strait, as is illustrated by the track chart herewith forwarded. Off Cape Douglas I fell in with the schooner *Kadiak*, of Kadiak, again, but reading her name did not board her.

At 8 a. m. the 23d instant arrived at Karluk and found from a communication left with the bark *Nicholas Thayer*, that the *Corwin* had preceded me and was cruising in the vicinity; so leaving instructions for her to cruise toward Unalaska by July 10, I proceeded at 9 a. m. toward the Semidi group, intending to round them before going to the eastward again.

It became foggy early in the day, and following the usual custom on board this vessel of sounding with the Thompson apparatus, I observed that the limits of the 100-fathom bank, as given on our charts, are inaccurately placed, the depression shown between meridian 156° and 157° extending much farther to the northward, probably even from Shelikof Strait down between the Semidi on the one hand and the Trinity group and Chirikof on the other; 100 fathoms' depth was not reached until within about 20 miles of the Semidis.

The fog was too thick to permit my running through the group and I therefore steamed back to the shoaler side near Kadiak and anchored with kedge until clear weather, June 24, when we were able to proceed.

In latitude 56° 10′ north, longitude 155° 25′ west, boarded the schooner *Seventy-six*, of San Francisco. She had been warned by the *Concord* and her arms sealed; she was bound on a sea-otter cruise using native hunters.

The *Yorktown* was then zigzagged up the coast of Kadiak and on the 25th instant headed for Sitka, arriving at 7 p. m. the 27th instant and sailing again with the mail for the squadron at 7 p. m. the 29th instant.

In latitude 59° 33′, longitude 148° 16′, off the south end of Montague Island, fell in with the schooner *Lydia*, of Kadiak, and boarded her. She had already been warned on the 18th instant by Lieutenant Cutler of this vessel at Port Etches.

As personally instructed by yourself, I proceeded to the Barren Islands to settle the question of the shoal water noted by this vessel on the 19th instant, but off Chugaz I regret to report that we ran into fog with threatening weather and a sea that precluded the idea of making soundings from boats had the weather been clear. I anchored in 70 fathoms, using the steam kedge as usual, but after a short halt was unable to hold on, and therefore proceeded by cruise down the coast of Kadiak.

In latitude 57° 25′ north, 157° 20′ west, sighted and ran alongside (but did not communicate with) the schooner *Mary A. Anderson*, of Kadiak boarded by this vessel on the 19th at Graham Bay.

The weather became half a gale with fog and I was obliged to lie to during the night of July 2–3, and did not reach Alitak Bay until 3 p. m. of the 3d instant, when the *Concord's* party was taken on board and the cruise continued to the westward, sailing at 10 p. m.

As the weather in this portion of my cruising ground is extremely uncertain and variable, I held a straight course to Portage Bay, where we anchored, having gone through the channel between Korovin and Andronica islands on the starboard hand and Popoff of the port hand.

A small vessel was observed at anchor in Pirates Cove and the vessel was held in the strait, while she was boarded. It was the schooner *Pitti Sing*, of Sand Point, tender to the codfish station. I remained in Portage Bay for forty-eight hours to make the quarterly inspection called for in article 1593, United States Navy Regulations, and to complete some urgent repairs in the steam engineering department; and at 9 a. m. the 7th of July sailed for Lazareffskaia to make inquiry as to the sample of coal for test, referred to in your communication of the 5th of June.

Anchored in Lazareffskaia Bay at 10 a. m., and learnt that the local coal agent, Mr. H. S. Tibbey, of San Francisco, had only received his instructions as to the delivery of a sample to a United States war vessel by a recent mail. He had no coal on hand. It might be practicable to deliver a sample one month from the date of my visit. Small samples exhibited indicated a lignite of very poor quality. It was observed that there were no mechanical means for mining provided, and there were no miners. There were two scows, each of about 25 tons capacity, lying on the beach in a somewhat defective condition. I did not feel authorized to request Mr. Tibbey to prepare the coal for my return in August, and therefore sailed for the western side of the Shumagin group.

Leaving Lazareffskaia Bay, the American schooner *Spray* was sighted in the eastern end of Unga Strait. She was boarded and found to be a 5-ton trading schooner, bound from Sand Point to Gilmore Island. She had been warned by the *Mohican* on June 27 at Sand Point.

After cruising between the Shumagin Islands and Unimak Pass, until noon of the 9th of July (at anchor in a fog during eight hours to the southward of Ugamok Island) this vessel was headed for Unalaska.

About 1 p. m. of the 9th of July fell in with the U. S. S. *Petrel*, and delivered her mail, received at Sitka.

I will note for your information and the Department's that the charts to the northward, northeastward and northwestward of the Shumagin

Islands are quite incorrect and that navigation by them in thick weather or at night would be dangerous. The width of Unga Strait is about 3 miles less than indicated and the distance between Aghiyuk Island north and Anowik Island south of the Semidi group is about 5 miles instead of 10, as indicated. The survey of the neighborhood of Jude Island west of Unga is wholly inaccurate.

Very respectfully,

WM. M. FOLGER,
Commander, Commanding.

Commander C. E. CLARK,
Commanding United States Naval Force in Bering Sea.

[Inclosure.]

REVENUE-MARINE STEAMER CORWIN,
Port of St. Paul, Kadiak Island, June 27, 1894.

SIR: I have the honor to report that, in obedience to your order of the 18th instant, I reported to Commander W. M. Folger, U. S. N., commanding U. S. S. *Yorktown*, and was by him directed to cruise to the westward, meeting him at or about noon each day at places designated, and that in compliance with his orders I left Port Etches at 12 p. m., June 18, steamed around north end and down west side of Montague Island so as to look into the anchorages on that side of the island. Left McLeod Harbor 7.30 p. m., and steamed close alongshore to the westward.

June 19, at 12.30 a. m., had Cape Resurrection abeam distant 1 mile. observed a clean-looking passage inside Chiswell's Island. Set compass S. by W. ½ W.; that took me through a channel not less than a mile wide; had sounding machine going constantly, and least water was 35 fathoms near western entrance. Steamed alongshore and passed between inner Pye Island and mainland, good passage, but very narrow for about 100 yards near the middle, where I found a bar, rocky about 100 yards both ways, 5 fathoms least water at very low water. Kelp shown very plainly on eastern side. Steamed through and out of Nuka Bay. There is a bad nest of rocks about 3 miles SSW. from the outer Pye Islands that has been left off chart No. 8500, sheet No. 3. It is a very dangerous reef, particularly as the chart shows it clear. On my first cruise west I passed them in the dark hours and must have been very close to them, as I shaped a course to pass within 5 miles of the island. It is probable they are nearly covered at high water.

At 9.55 same date boarded schooner *Olga* bound to Port Etches with general cargo for Alaska Commercial Company's agent at that port. Steamed to northward of Barren Island, and met U. S. S. *Yorktown* at western end and was directed by signal to proceed as agreed upon. Shaped course for Augustine Island, wind increasing to moderate ESE. gale, thick fog, and rain. At 7.35 had the island bearing south, and found broken water, and as it was thick and blowing did not consider it safe to proceed; put vessel on starboard tack heading NE. until 10 p. m., when I headed down the inlet.

June 20, steaming along the north side of Shelikoff Strait to Cape Kutiak, thence to Cape Karluk, and anchored off the settlement at 1.55. Boarded barks *Harvester* and *Nicholas Thayer*, waiting cargo of salmon, also steamer *Royal*, belonging to the Alaska Commercial Company.

June 21, boarded steamer *Ella Rohlffs*, belonging to the Alaska Packing Company. In p. m. steamed around into Uyak Bay, and boarded bark *Merino*, coal and supply ship for the canneries, and returned to Karluk.

June 22, steamed across the strait into Kutmain Bay; saw no vessels; returned to Karluk. U. S. S. *Yorktown* not having arrived, sent a letter on board the *Nicholas Thayer* for Captain Folger reporting my movements, and at midnight got under way and steamed to westward.

June 23, steaming to westward, dense fog and rain.

June 24, 4.40 a. m., made south end of Korovin Island, steamed through Gorman and Popof straits, and anchored off Sand Point at 7.30. Boarded American sealer *Idaetta* and British sealers *W. S. Rich*, *Venture*, and *San Jose*; all had been licensed for Bering Sea hunting. Under way at 11.15 and stood across to and up Portage Bay. No vessels; returned and steamed to the eastward. Dense fog and rain.

June 25, steaming to the eastward, arrived at Karluk at 5.30 p. m. Received orders from Captain Folger to carry out your orders of the 7th and 13th instant. Steamed east along north shore of Kadiak Island.

June 26, rounded Point Banks at 6 a. m., and steamed outside of Marmont Island. Dense fog, but cleared in p. m. Steamed in north channel, and made fast to wharf at St. Paul at 4 p. m. for coal.

June 27, coaling ship. The vessels named were all seen, and but one seal observed. I shall leave here 28th, at noon, and cruise along the south side of mainland from Cape Douglass west, to reach Sand Point about July 3.

Very respectfully,
FRED. M. MUNGER,
Captain, United States Revenue Service.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea.

[Inclosure.]

U. S. S. ALBATROSS, BERING SEA SQUADRON,
Dutch Harbor, Unalaska Island, Alaska, July 4, 1894.

SIR: The *Albatross* coaled on the 20th and 21st June from the dock, hauling in between the steam whaler *Alexander* and the dock. Left Dutch Harbor at 8 p. m. on the 21st., and shaped course for the Pribilofs. Sighted St. George in a thick fog at 6.35 p. m.

June 22, rounded the west end, and anchored off the village at 8.35. Blowing fresh, with sea and wind from ENE. (magnetic). Sent mail for the island and boat alongside the North American Commercial Company's steamer *Lakme*, which was in communication with the shore that day, having, however, been compelled to lay off several days on account of heavy weather with wind and sea on shore. I learned that the *Alert* was at anchor on the south side of the island, making a lee.

At midnight (June 22) sailed for St. Paul, weather thick and overcast. Found the *Ranger* there. Received the sealed orders from Commander Longnecker containing your order of June 5, new circular No. 12 and Nos. 13, 14, 15, and 16.

In obedience to orders of June 5 the *Albatross* left St. Paul at 7 p. m. June 23, with wind and sea from the south, accompanied with dense fog. Shaped course to pass 10 miles south of Walrus Island, then E. by N. to 60-mile radius, and then north to line between St. Paul and Cape Newenham, in view of meeting whalers or sealers to the eastward. Then laid course SSE. (magnetic) for southern limit on line from St. Paul to Akutan Island. Previous to leaving Unalaska on the afternoon of the 21st June, I was informed by native hunters that the seals were coming through False Pass this year in preference to other passes. Upon arrival at St. Paul I found that a killing of 1,200 seals had taken place from the hauling out grounds of the Reef Point rookery a few days previous. A killing of 1,000 from the Zapadnie rookery, about 3½ miles west of the village, occurred the day of my arrival, but no officers of the fleet guarding these islands were invited or informed, as is the usual custom when vessels arrive on such occasions. However, I learned from other sources that the stomachs of the seals killed on June 23 contained fresh salmon, evidently corroborating the information I had received relative to the seals coming through False Pass, as in this pass fresh-water salmon are abundant.

Arrived at the pass at 3 p. m. June 26, and made a very careful search along the shore line and mouth of the pass, but saw neither seals nor seal[er]s. Shaped course to the northward and eastward keeping the land aboard, as occasionally seen through fog and mist. Reached Port Moller at 7 a. m. June 27. Found no sealers there. Then sailed for Port Haiden, 90 miles eastward, following the trend of the coast, which was found to be incorrectly outlined in one or two places between Port Moller and Port Haiden. Arrived at Cape Strogonof at 4 p. m., and stood in for the entrance to Port Haiden within 1 mile of the reef in 6¼ fathoms of water. An examination of this bay did not reveal any sealers.

The course was then laid for Cape Newenham with the intention of utilizing time and coal by working to the westward against wind and sea under fore-and-aft sail, and possibly fall in with sealers and whalers who have been known to cruise in this region. After running 50 miles on a WNW. (magnetic) course in thick fog, at midnight encountered small pieces of light field ice, somewhat scattered. Stood on for one hour with the expectation of passing through and out of it, which, however, did not prove to be the case, as it gradually became thicker and in larger pieces, such as to make further advance possibly dangerous to the hull and propellers. The *Albatross* was accordingly put about (latitude 57° 34′ north, longitude 160° 10′ west) and at a moderate speed pushed through the ice on a general course ESE. (magnetic) reaching the outer limit of the ice field three hours after entering it.

In the meantime a shift of wind cleared away the fog, and, it being broad daylight, I was enabled to observe the ice field, which was closed in a WNW. direction with southern limit extending SW. by S. and east to the horizon, as shown on tracing of track chart herewith submitted. An ESE. course was maintained for 20 miles, losing sight of the ice soon after leaving it. The *Albatross* was then headed to the southward and westward on a line generally parallel to the coast. After leaving the ice an examination of the hull showed only a few places about the stem and waterline where the paint had been rubbed off by contact with some of the larger ice, sections which were over 3 feet out of water, 100 to 300 feet in length, and 40 to 75 feet in width, and which were compared with the *Albatross'* L. W. plane when alongside.

The course coming out also showed that we had undoubtedly passed into a channel which opened to the southward and eastward. A run of 55 miles was made on a SW. by S. (magnetic) course, when it was changed to west in order to intersect the northern line of our work in latitude 57° 56′ north, longitude 166° 16′ west, 134 miles from St. Paul, bearing SW. by W. (magnetic). This point was reached at noon June 29.

A NE. by N. course was then laid for Cape Newenham in order to search the northern cruising limit assigned. After running 94 miles on this course without sighting any sealers, a SE. by S. line was pursued for 90 miles, when a change of direction was made to WSW. (magnetic), steering for St. George. Reaching the 60-mile radius on the 1st instant, at 8.35 a. m., a return to the northern limit was deemed advisable, as several seals had been seen in this region at different points, marking this as a favorite locality for a sealer somewhat removed from the beaten path.

A run of 62 miles north (magnetic) was made, in which a few seals only were sighted. The course was then changed to SE. (magnetic), and the run made to Shaw Bay, where sealers would be liable to take refuge. Arrived off Unimak at 5 p. m.; made Cape Lapin in a thick fog, and stood around it, keeping the shore close aboard for Shaw Bay. When off its northwest entrance, a boat was observed on the beach, bottom up. The whale boat was lowered and sent in with Ensign C. M. Fahs in charge to search the beach, land through the surf if possible, and ascertain if it was a case of shipwreck, and also determine the presence of any survivors. He gallantly made a landing through a very heavy surf, and his report is herewith appended. A further examination of Shaw Bay was prevented by a dense fog.. The course was then laid west (magetic) off Unimak Pass for the night. Ran in at early dawn of the 3d instant. Made Akutan Island and examined Akutan Harbor and the pass between it and Akun to see if any sealers might possibly be in this locality. None were discovered, however. The run was made from here to Dutch Harbor in a thick fog. The *Albatross* arrived at 4.55 p. m., July 4, and anchored having run 2,222.3 miles since leaving Dutch Harbor, at the date of my last report.

The farthest limit from the Pribilofs at which seals were observed on this cruise was 250 miles ENE. (magnetic), at the entrance to Bristol Bay. The majority of seals observed were confined to that portion of the *Albatross's* cruising ground included between a line drawn ENE. (magnetic) from St. George, and another from St. Paul to Cape Newenham. Twelve seals were sighted in all. Their number, locality, sizes, and actions are given in the appended table.

The following papers, tables, records, etc., are respectfully submitted herewith: Hydrographic report of navigator; table of meridian positions, positions where course was changed, and distances steamed per log; tracing of track chart; sounding record; seal record; cruising and meteorological record; report of Ensign Fahs on boat found on Unimak Island.

Very respectfully, F. J. DRAKE,
Lieutenant-Commander, United States Navy, Commanding.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force
in Bering Sea, U. S. S. Mohican.

Fur seals observed at sea by U. S. S. Albatross.

Date.	Time of day.	Positions.				Numbers.	Size.	Remarks.
		Latitude north.		Longitude west.				
1894.		°	′	°	′			
June 28	7.30 p. m.	57	05	162	37	2	....	Jumping and diving.
29	9.25 a. m.	57	47	165	42	1	Medium ..	Do.
29	4.20 p. m.	58	06	165	22	1	Small	Playing about ship while fishing.
July 1	9.20 a. m.	56	58	167	42	1	....	Traveling away from ship.
1	12.45 p. m.	57	28	167	32	1	Small	Sleeping.
3	4.11 a. m.	55	01	165	58	1	....do	Jumping and diving.
4	3.43 a. m.	54	13	167	00	3	Medium ..	Do.
4	7.30.......	54	03	166	54	2	....	Do.

U. S. S. ALBATROSS, BERING SEA SQUADRON,
At Sea, Lat. 54° 54′ N., Long. 164° 17′ W., July 2, 1894.

SIR: I have the honor to report as follows concerning my landing on Unimak Island to examine a boat seen lying on the beach by this vessel: As I drew near the shore it was plainly seen that the object observed from the ship was a boat lying bottom up, well above the high water mark; also newly split driftwood could be seen. These signs determined me to land.

A very heavy swell was running at the time, making it necessary to hunt a landing place free from rocks. I found a small, gravelly strip about 250 yards to the westward of the boat, and landed through the surf. After hauling our whaleboat well up on the beach, which was very steep, by the way, I left three men to take care of her and proceeded with the other three to the boat. On my way to it I found human tracks and also newly split driftwood in two places.

The boat was a small dory of the size belonging to a fishing vessel. A lashing was passed over her bottom and secured to two heavy stones, one on each side. A pair of oars lay under her. There was no writing or signal of any kind posted in the boat or in the neighborhood. I had the shore searched for some distance to the eastward, and also the tops of the adjacent bluffs, but nothing further was found. From the footsteps leading up the hillside I should judge there were two people certainly, if not three, that had abandoned the boat and probably made their way overland to the False Pass, opposite the Morzhovoi village.

I now returned to our whaleboat and, after some difficulty, succeeded in launching her through the heavy surf. In launching, the whaleboat pounded lightly on a small bowlder, about twice the size of a man's fist, and stove her bottom slightly, rendering baling necessary on the return trip to the ship.

I am, very respectfully, your obedient servant,

C. M. FAHS,
Ensign, United States Navy.

Lieut. Commander F. J. DRAKE, U. S. N.,
Commanding U. S. S. Albatross.

[Inclosure.]

REVENUE-MARINE STEAMER CORWIN,
Port of Unalaska, Alaska, July 8, 1894.

SIR: I have the honor to report that I left St. Paul, Kadiak Island, at 12 m. June 28, and steamed through Northern Straits into and across Shelikof Straits, and continued my cruise to the westward along shore, following the trend of the land and looking into the various bays and harbors. June 29 passed north side of Aiugnak Columns, Ugaiushak and Sutwik Island and anchored in Chiniak Bay at 11.15 p. m. June 30, under way at 9 a. m., and steamed into anchorage and boarded ship *Levi G. Burgess*, of San Francisco, waiting cargo of salmon from cannery. Steaming along shore into Metrofania Bay and anchored off Indian village in eastern harbor at 6.15 p. m. Dense fog during the day. July 1, 6.15 p. m., got under way and steamed through anchorages in Fish Ranch Bay and Long Beach and out west of the islands, in Metrofania Bay north of Chiachi Islands, Alexander Island, and into and to head of Ivanof Bay, thence round Cape John and anchored in Fox Bay at 6.20. All the anchorages marked on the chart are good. There is a bad reef from point on north side of Fox Bay, extending about one-third the distance across the bay, bare at low water, not on the chart.

Boarded schooner northwest of Kadiak, hunting and trading, sealed up his arms and ammunition and directed him to proceed to Sand Point for permit. July 2, visited Korovin anchorage, and Pirates Cove, and anchored off Sand Point at 4.15 p. m. Boarded schooners *O. W. Smoot* and *Pette Sing*, belonging to station at Pirates Cove, July 3, at anchor off Sand Point. July 4, under way at 4 a. m., steamed round north end of Unga into anchorage in Coal Harbor, Coal Bay, Wasnessensk, Pavlof Bay. Passed so I could see to head of anchorage in Bear Bay, Doljai, Belkoffski, and anchored in Baileys Harbor 7 p. m. No vessels seen.

July 5, at 4. a. m., got under way and steamed into Kings Cove, Cold Bay, and up False Pass to Morzhovi. Boarded schooners *Foam*, *Moses*, and sloop *Atila*, hunting and trading, belonging at Morzhovoi. Returned down False Pass, thence to head of Morzhovoi Bay, and anchored at 8.15 p. m. July 6, got under way at 4.20. At 8.30 stopped off Cape Pankof and boarded schooner *Uranus*, of San Francisco, fishing for cod. Sealed up his firearms and ammunition.

Sounded into the anchorage on west side of Pankof, and thence for Sannak Island. Steamed as far east as Lida Island, and returned along north side about a mile distant, so as to look into the anchorage at Couts Island, Pavlof Harbor and Acherk Harbor. There was too much sea to attempt a landing. From Sannak to Unimak Bay, where I boarded schooner *Hunter*, who had a license for otter hunting.

I then proceeded through Unimak Pass, and anchored in Dutch Harbor at 11.15 a. m., July 7. The vessels mentioned were all seen and the only seals observed were seen west of Akutan Pass, traveling.

Very respectfully,

FRED. M. MUNGER,
Captain, United States Revenue Service.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Unalaska, Alaska, July 7, 1894.

SIR: If not relieved by another vessel, return to Unalaska when the amount of coal on hand will not justify your remaining longer at the islands.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER U. S. S. ALERT.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Unalaska, Alaska, July 7, 1894.

SIR: Proceed with the vessel under your command to the Pribilof Island and, when you have communicated with the senior officer and landed the Fish Commission officials, you will further proceed to the southern entrance of the Issannakh Pass and there report to the commanding officer of the *Petrel* for such instructions as he may give you in regard to the examination to be made of the anchorages to which small vessels resort in and around the Sannak Islands.

When that duty is completed, return to the Issannakh Pass, anchor in it, where you can intercept with your boats any vessel that may attempt to pass through, and then proceed with the repairs upon the boilers and engines that were interrupted here. Complete them within six days and then return to Unalaska.

A watch is to be kept and the number of seals seen passing through to the northward is to be recorded.

Should the *Petrel* have sailed when you arrive, enter the pass, make repairs, and return to Unalaska as already directed. Should she return before the six days have passed, her commanding officer will decide whether the work proposed at the Sannak Islands will be performed or not.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER U. S. S. ALBATROSS.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Unalaska, Alaska, July 7, 1894.

SIR: Proceed with the vessel under your command to the southern entrance of Issannakh Pass, and if you find it can be safely entered please have all its arms examined, sending the boats into any of them that the ship can not prudently approach. A careful watch is at all times to be kept and the number of seals seen passing through is to be recorded.

Return to the anchorage outside the southern entrance within four days, and as soon as the *Albatross* arrives and the weather is favorable, sail for the Sannak Islands and examine all the coves and inlets to which small vessels resort. It will be necessary while in the vicinity of these islands to proceed with the utmost caution, soundings being taken by boats leading when near the land. One vessel is to be kept well ahead of the other and the track of the leader is to be closely followed. The northern shores of the islands only are to be coasted by the vessels, the passages through and the southern shores being examined only by the boats.

When this work is completed, proceed with both vessels to the eastward, using the same precautions that you did in approaching the islands until past the limit of reported dangers, when you will direct the commanding officer of the *Albatross* to proceed upon the duty assigned him, and will yourself cruise to the eastward in the track of the seal herd.

Should you find seals in considerable numbers go as far as Alitak Bay, otherwise no farther than longitude 157. While returning examine with due caution the anchorages in the Shumagin Group to the eastward of Gorman Straits.

Return to Unalaska by the 23d instant, passing to the northward of Unga and the outer Illiasik islands.

If the *Albatross* has not arrived at Issannak Pass by the 12th, go to sea, weather permitting, and cruise in the track of the seal herd outside the islands and Shumagin Islands. Return to Issannak Pass by the 18th through the passages already referred to, and if the examination of the Sannaks can be completed in time to allow both vessels to return to Unalaska by the 25th instant, you may proceed with the work.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER U. S. S. PETREL.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Unalaska, Alaska, July 7, 1894.

SIR: The *Yorktown* or this vessel will probably relieve you of guard duty at the Pribilof Islands within the next ten days, but you are not to delay leaving at any time if you feel that the amount of coal you have on board will not justify your remaining longer.

Orders for the *Alert* to sail for Unalaska, under the same conditions of coal supply, accompany this, but the commanding officer of the *Albatross* has orders to deliver them if he falls in with the *Alert* first and you are not within signal distance.

Please transfer, or have the *Alert* transfer, from one island to the other, Messrs. Townsend and Miller, the scientists engaged in photographing the seal herd for the Government.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

COMMANDING OFFICER U. S. S. RANGER.

[Inclosure—Confidential.]

[Circular to Commanding Officers, No. 19.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, July 10, 1894.

Circular to Commanding Officers No. 14, dated May 28, 1894, relating to vessels under foreign flags other than that of Great Britain, is hereby revoked, and the copy held by each commanding officer is to be returned to this vessel.

This is not to be considered as modifying in any way instructions from the Department which read:

> Any vessel, of whatever nationality and whether previously warned or not, that is discovered at any time taking seal within the territorial waters of Alaska will be sent to Sitka and delivered to the proper officers of the court to be proceeded against under the law.

Should any vessel not American or British be fallen in with that has been warned or had her arms sealed under the instructions contained in circular No. 14, the master is to be informed that the seals can be broken and that the warning he received is void.

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, July 10, 1894.

SIR: When coaled, proceed to the Pribilof Islands, and as soon as you have taken the naturalists on board cruise where in your opinion the duty of patrolling the sea can best be combined with the work it is desirable you should perform for the Fish Commission. If it is considered important to visit the Komanderski Islands, you will please cover different portions of the sea going and coming.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

COMMANDING OFFICER U. S. FISH COMMISSION STEAMER ALBATROSS.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, July 11, 1894.

SIR: When coaled, proceed to the Pribilof Islands and assume the duty of guarding them, as required in Circular to Commanding Officers, No. 9, relieving the U. S. S. *Ranger.*

When two other vessels ordered on the same duty have arrived at the islands, cruise to the northward and westward between a line drawn from St. Paul to the island of St. Matthew and another from St. Paul to Attu, within a radius of 250 miles from the Pribilofs, for at least ten days, unless sooner obliged to return to Unalaska for coal.

Endeavor to reach the island of St. Matthew, and ascertain if there are any shipwrecked persons there, but do not remain longer than three days after having effected a landing.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

COMMANDING OFFICER U. S. S. YORKTOWN.

[Inclosure].

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, July 11, 1894.

SIR: When coaled, proceed to the westward with the revenue steamer *Corwin* in company, cruising off the passes where sealers coming from the coast of Siberia may be intercepted, and making a careful examination of the uninhabited islands, where the crew of the missing boat belonging to the wrecked whaler *James Allen* may have been cast away and reduced to the condition of their shipmates found on Umnak Island.

As this duty, owing to strong current setting through the passes, the dense fogs, and incorrect surveys, is one that requires the exercise of every precaution, the commanding officer of the *Corwin* has been ordered to assist and will report to you for instructions. The measures to be adopted and followed are left to your discretion, but you will approach the shores with the greatest caution, using the boats as much as the circumstances will warrant, and if either vessel is nearing a doubtful shore, the other is to be within signal distance.

When you have reached the Bay of Waterfalls, if the *Corwin* has enough coal left, or if you can give her enough to reach Attu and return to Unalaska, let her proceed to the westward; otherwise give her orders to return to Unalaska direct.

As the Bay of Waterfalls is a resort for sealers, please have a lookout posted on shore during your stay, and if fires are hauled to make repairs, have the steam launch ready for service.

Endeavor to return to Unalaska in time to coal and reach the Pribilof Islands on the 1st of August.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER U. S. S. CONCORD.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, July 11, 1894.

SIR: Coal immediately, and, if the *Mohican* has not arrived within three days from the date of your arrival at Unalaska, proceed to the Pribilof Islands for guard duty, as prescribed in Circular to Commanding Officers, No. 9.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER U. S. S. PETREL.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, July 11, 1894.

SIR: Please report to the commanding officer of the U. S. S. *Concord* for the purpose of assisting him in searching for the crew of the missing boat belonging to the wrecked whaler *James Allen*, and in guarding the passes to the westward.

When relieved from this duty, proceed to Attu, if you have coal enough, or if it can be given you by the *Concord*, and when Lieutenant Jacobs has been relieved by another officer, return to Unalaska, coal, and sail for the Pribilof Islands.

If you can not make Attu, return to Unalaska, coal, and then sail for that island. Having made the exchange of officers, proceed as above directed.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER U. S. REVENUE-CUTTER CORWIN.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, July 11, 1891.

SIR: Coal, taking at least 20 tons on deck, and proceed with dispatch to the Pribilof Islands for guard duty, as prescribed for in Circular to Commanding Officers, No. 9.

When two other vessels ordered on the same duty have arrived at the islands, cruise to the northward between a line drawn from St. Paul to the island of St. Matthew and another from St. Paul to Cape Newenham, and within a radius of 200 miles from the Pribilofs, until obliged to return to Unalaska for coal.

Endeavor to keep the sea for ten days cruising under canvas with banked fires, if need be, and covering as much of the ground as possible.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER U. S. S. ADAMS.

[Inclosure.]

U. S. S. CONCORD, *Unalaska, July 12, 1894.*

SIR: In obedience to your order of May 11, modified June 5, 1894, I have the honor to submit this report of my second cruise in search of sealers.

As soon as the coal was all on board (and after a delay of two days occasioned by having to wait my turn to go alongside the collier) I put to sea on June 21 and headed at once toward the northern entrance to Isanotski Strait, the False Pass, my previous observation during one watch on June 16, of 60 seals off its southern entrance causing me to suspect the presence of sealers at the northern exit where a visit from a man-of-war might be deemed improbable.

June 22. At the locality mentioned I discovered several vessels, two of which proved to be sea-otter hunters from Unalaska, and the balance cod fishers, all in pursuit of their legitimate callings. Stood off shore during the night and returned the following morning.

June 23. Visited and searched a camp of sea-otter hunters on the north shore of Unimak. Passing to the eastward and close to False Pass (which was not entered for lack of sufficient depth of water), I anchored that night off Cape Glasenap.

June 24. Sent the steam launch in to examine Izenbeck Channel for sealers. The channel was found to be too shoal to admit any craft. Got under way and stood to northward and eastward during the night.

June 25. The weather becoming bad, with fresh southerly wind, I anchored for a few hours in Shaw Bay, where I discovered and searched a camp of sea-otter hunters. Got under way at 9 p. m. and stood to the westward off Unimak Pass.

June 26. Went through Unimak Pass and in Unimak Bay found and searched a camp of sea-otter hunters. Boarded and warned the American schooner *Everett Hays* and spoke the American schooner *Olga*, which I had warned on the 22d.

June 27. My desire this day was to examine False Pass from the southward, but a fresh gale springing up I ran into Morzhovoi Bay, where I utilized the enforced delay in target practice by day and also by night.

June 28. Left Morzhovoi Bay in the fog and stood to the southward and westward. Overhauled and warned the American schooner *Hunter* and then stood out to the southward, off Unimak Pass.

June 29. Returned and anchored for the day under lee of the Alaskan shore near Sankin Island, while an officer, in the steam launch, went to examine False Pass. He came back at midnight, having warned three small local craft which he had found at Morzhovoi village. No sealers were there.

June 30. Got under way at 1 a. m., and stood to southward and westward and then cruising off Unimak Pass.

July 1. Came through Unalga Pass and into Unalaska for mail and orders. Spent three hours in port in communication with the senior officer commanding the Bering Sea fleet, and then received his verbal instructions (in conjunction with patrol duty) to search for the missing men from the American whaler *James Allen*, at points not previously visited by other ships. I may say here that during the nine days that comprised the second half of this cruise there have been but few hours free from dense fog, and that if I have accomplished far less than I desired it was because the weather was absolutely prohibitory, without risks that I did not feel warranted in running. Left Unalaska in a fog at 8.30 p. m.

July 2. Foggy all day. Picked up land and anchored for a couple of hours with a kedge off northeast part Umnak. It was not prudent to remain here, and I made a hitch offshore.

July 3. The fog lifting somewhat, I began a thorough search for the missing whalers, starting at the northeast corner of Umnak and working to the westward. My method was as follows: The steam launch skirted the beach, sounding as she went, with orders to warn me if the water shoaled unduly. I followed slowly outside and astern of the launch at the distance of a mile or more from the beach. From time to time I fired a projectile from the secondary battery at objects on shore. The report would have aroused any person on or near the beach. I utilized the opportunity to make a running survey of the coast line, which in no respect resembles that given on any chart. When darkness set in I anchored with a kedge in 40 fathoms.

July 4. Resumed the search of the previous day and worked until 11 a. m. when, entering a large and beautiful bay, which, in honor of the Assistant Secretary of the Navy, I have ventured to name McAdoo Bay, I anchored that the crew might enjoy a well-earned holiday. A free gangway was established and all who wished visited this exceptionably fine island.

July 5. A fog unusually dense, even for Bering Sea, prevented the resumption of my search. Most unwillingly I determined to await its lifting.

July 6. Seeing no signs of clearing, and not desiring to remain entirely idle, I put to sea on patrol duty, meaning to resume the search on my way back to Unalaska, should the weather permit.

July 7. Passed through Amukta Pass and cruised to the south of Alaska.

July 8 and 9. Making hitches off and on shore south of the Fox Islands in the fog.

July 10. The fog still continuing and my coal being exhausted, I picked up Unalaska Island, making my way along the south shore (badly, not to say dangerously, out on the chart) from point to point. The fog lifted at the entrance to Unalga Pass, through which I steamed, anchoring at Unalaska at 9 p. m., July 10. I may assert positively that the missing whalers are not on the north shore of Umnak Island from East Point to and including McAdoo Bay.

The following is the summary of the *Concord's* second cruise:

Days out	19
Miles steamed	2,507
Coal burned (tons)	307
Vessels boarded	13
Vessels warned	12
Camps searched	3

(Track chart and distance table inclosed.)

Very respectfully,

C. F. GOODRICH,
Commander, United States Navy, Commanding.

COMMANDER OF THE U. S. NAVAL FORCE,
Bering Sea.

[Inclosure.]

[Circular to Commanding Officers, No. 20.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, July 12, 1894.

As liquor is constantly being sold to the crews of our vessels here, causing frequent brawls and in one case a stabbing affray; as the laws strictly forbid its importation, and as there are no officials here authorized to preserve order, you are hereby directed to arrest any person, of whatever nationality, detected in the act of selling or disposing of spirituous liquor, and will keep them confined until you have communicated with the deputy collector and deputy United States marshal at Iliuliuk. Should these officials decide that the evidence will not warrant the further detention of the arrested persons they must be released.

These instructions will be enforced by any commanding officer of a vessel lying at the dock or alongside a coal ship, but the senior officer present must at once be informed of any arrests made.

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

No. 177.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, July 23, 1894.

SIR: I have the honor to report that this ship arrived here at 6 p. m. yesterday, from the Pribilof Islands; that the steamer *Willamette* is still here, but will sail immediately for Comox, Victoria.

The *Adams* arrived here on the 17th, and left on the 20th to relieve the *Alert* at the Pribilof Islands.

The *Ranger* arrived from the Pribilofs on the 17th, and left the next day for a cruise to the eastward.

Copies of her orders and also to vessels additional to those already mailed by the *Willamette* are inclosed; also reports of the commanding officer of the *Ranger* and *Adams*.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The SECRETARY OF THE NAVY.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Unalaska, Alaska, July 3, 1894.

SIR: When you have finished coaling proceed with the vessel under your command to the southern entrance of Isanotski Straits, and thence to Kupreanof Point, making zigzag courses about 50 miles in each log, NNE. and ESE. (mag.) outside the Sannak and Shumagin islands.

Returning to Isanotski Straits, follow the coast line, examining bays and inlets where sealing or otter hunting vessels might put in for an anchorage.

As few of these islands have been surveyed, you will use the utmost caution in entering them, keeping a boat ahead when feeling your way in for an anchorage, and sending the steam launch with a whaleboat to examine any inner arms that you can not prudently approach with the ship.

Leave an officer with a picked crew from one of the smaller boats in camp at Isanotski Straits where he can best intercept or observe closely enough for identification any vessel that may pass through. One of the men should always be on watch and a record is to be kept of the number of seals seen each day.

Time your movements in such a way that the party will be on shore at least eight days, and so that you can return to Unalaska by the 18th instant.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER U. S. S. ADAMS.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Island of St. George, July 14, 1894.

SIR: Upon the arrival of the U. S. S. *Adams*, sail for Unalaska, coal, and if you do not find orders there, proceed in accordance with instructions contained in Circular to Commanding Officers, No. 10.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER U. S. S. ALERT.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Island of St. Paul, July 15, 1894.

SIR: Referring to your instructions dated July 10, if the investigations concerning the habits and feeding grounds of the seals carry you to the vicinity of St. Matthews Island, shape your movements so as to cover the ground after the *Yorktown*, which vessel will cruise there between the 1st and 6th of August.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER U. S. S. ALBATROSS.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Island of St. Paul, July 15, 1894.

SIR: Upon arrival at Unalaska, coal, taking enough to insure reaching Sitka, and fill up there with Government coal, taking a deck load, as the amount on hand is much in excess of the present capacity of the shed.

If, as reported, the seals are late this year in arriving at the islands, and that stragglers may be found any year as far east as the Gulf of Alaska through the month of July, there is a strong probability that the sealing vessels that returned to home ports, and those that remained at Sitka and Kadiak after being warned, may resume sealing under the impression that none of our vessels are cruising outside of Bering Sea

The otter hunters in the vicinity of Cook's Inlet, already warned may also break their seals, believing that none of our cruisers wil revisit those waters.

It is understood that the steamer *Jayhawker* is smuggling liquor into the Territory, selling it to the natives on the shores of Cook's Inlet and thereabouts in such quantities that they neglect the opportunities when fish and game may be taken and consequently suffer and even starve during the winter.

Leaving Unalaska, proceed to latitude 55° north, longitude 150° west, passing 50 miles to the southward of Chernobour Island (Shumagin group), and thence to Sitka direct. Returning to Unalaska, follow the track of the seal herd across the Fairweather Ground and Portlock Bank, calling at Yakatat Bay, Port Etches, Kachemak Bay (Cook's Inlet), and St. Paul, Kadiak. If the weather permits, and you can lower the boats when in the vicinity of the Barren Islands, examine the shoal reported by the *Yorktown.*

Time your movements so as to reach Unalaska on or before the 14th of August.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER U. S. S. RANGER.

[Inclosure.]

U. S. S. RANGER (THIRD RATE),
Dutch Harbor, Alaska, July 18, 1894.

SIR: I have the honor to submit the following report of the movements of this vessel from June 19 to date:

Referring to paragraph 17 of my last report, dated June 18, 1894, I left Dutch Harbor in the early morning of June 19. After getting outside the harbor and clear of the heads, found a moderate to fresh gale blowing from WSW. to SW. and SSW., which continued until 1 p. m. of that day, when it began to moderate, moderating until 5 p. m., when it began increasing from SW. by S. and S. by W., blowing a strong breeze until 4 a. m. of the 20th, moderating with a force of 3 at 7 a. m. from SW. by S. The weather was overcast and cloudy until 7 p. m., when thick fog set in. At 9.57 p. m. sighted the swash from south side of St. George Island, but owing to the dense fog it was impossible to make out what part of the island it was, in consequence of which I stood off on a S. by E. course until 2 a. m. of the 21st, when I changed to NNW., and at 3.05 a. m. sighted the east end of St. George Island stood around eastern end of same, standing in to village anchorage and seeing a man-of-war there, hoisted my distinguishing pennant, which was answered at 4.25, and found it was the *Alert*. Stood in close under the stern of the *Alert* and hailed her at 4.34, inquiring the whereabouts of the *Petrel;* was informed that she was cruising to the northward and westward. The wind at this time was blowing fresh from WSW., and there was no landing at the island. The steamer *Lakme* was hove to outside the *Alert*. I then laid a course NW. by W. for St. Paul Island, wind from west with a force of 5; sighted Otter Island at 9.50 a. m. and St. Paul at 10.15; stood in for east anchorage of St. Paul, arriving there at 11.50 and lay to the remainder of the watch, signalling to the customhouse officer on the island, inquiring the whereabouts of the *Petrel*. He answered that she had gone to St. George Island with Mr. Crowley, the special Treasury agent, on Monday, June 18. At 12 m. started to the westward around St. Paul and Walrus islands; the weather was foggy and misty at intervals. At 5.48 p. m., while rounding the south end of Walrus Island, sighted a sail on the port beam; changed course to SE. ½ S. and ran for it, making plain sail to topsails, fog settling down about the same time. At 6.47 overhauled the steam whaling bark *Wm. Baylies*, of New Bedford; sent an officer to board and warn her, sealed her arms and ammunition, and entered them and her rum on her papers, also gave her a license to proceed to Unalaska. She claimed to be from East Cape, and bound for Unalaska. The boarding officer returned to the *Ranger* at 9 p. m., and at 9.08 I went ahead on a W. by N. course, bound for east anchorage of St. Paul; fog became very thick and misty from 7 p. m. on; arrived at east anchorage at 11.51 and anchored at 12 midnight; exchanged distinguishing lights with the U. S. S. *Petrel* before anchoring.

At about 8 a. m. June 22 the commanding officer of the U. S. S. *Petrel* came on board. I delivered to him the sealed instructions sent by you, also the mail for that vessel. The coin and ordnance stores brought from Mare Island for her were also delivered. The *Petrel* got underway at 7.12 p. m. and stood to the southward and eastward.

The wind freshening from the ENE., spread fires at 6.55 p. m. June 22 and got underway. Stood around the south end of the island for village anchorage, and anchored there at 8.22 p. m.; weather overcast, cloudy, and foggy.

June 23. At 5.10 a. m. sighted the U. S. Fish Commission steamer *Albatross*. Exchanged distinguishing pennants with her at 5.15, and at 5.45 she came in and anchored. The commanding officer came on board the *Ranger* and I delivered to him the sealed instructions sent by you. At 7.05 p. m. of the same day the *Albatross* got underway and left the anchorage.

June 22. Mr. Adams, the Treasury agent, came on board. He informed me that Mr. Crowley, the special Treasury agent, was at St. George Island and he did not know when he would return. I consulted him, according to your instructions, regarding the landing of an armed force on the island. He said that he did not feel authorized to decide upon that subject, but that he would state for my information that Mr. Crowley had informed the commander of the *Petrel* that he did not consider it necessary to land an armed force at the present time. Lieutenant-Commander Emory, of the *Petrel*, showed me a letter from Mr. Crowley stating in substance the same. Lieutenant-Commander Drake, of the *Albatross*, informed me that Mr. Crowley would come up on the *Lakme*.

The steamer *Lakme* was signaled in by one whistle, and came to anchor at 7.50 p. m. June 25.

Thick fog set in at 1 p. m. June 23 and continued until 10.30 a. m. of the 26th, when I got underway and stood to the eastward around St. Paul Island and outside of Otter Island, coming around to east anchorage at 9 p. m., when I set course E. by N., running off about 9 miles, where I had night general quarters. Fog setting in at 1 a. m. June 27, stood back for east anchorage, arriving there at 7.28 a. m. and anchoring.

On the afternoon of June 27 Mr. Crowley came on board the *Ranger*. I consulted him regarding the landing of an armed force on the island. He informed me verbally, and under date of June 30 in writing, that he did not consider it necessary as long as a vessel was stationed at or near the island, and during the season that the fleet was patrolling Bering Sea. He also stated that there were native guards stationed at all of the rookeries that were not in sight of the village, with whom telephone communication could be had, and that the approach of a vessel could at once be signalled to the man-of-war on guard at the island.

I inclose herewith, marked inclosure No. 2, a copy of Mr. Crowley's letter, and inclosure No. 3, a list of signals arranged by which the vessel on guard can be informed at once when a vessel is sighted, and from which direction.

In thick or foggy weather a messenger would be sent off by boat. In connection with this, I would state that I adopted the system in general of lying at either one of the two anchorages near the village in thick and foggy weather, and when the fog lifted I made a cruise around the island for the purpose of seeing if there were any vessels outside of it, and always keeping a man in the crow's nest when the fog lifted while at anchor.

The fog lifting at 11 a. m. June 28, got underway at 1.50 p. m., and stood out on a NE. course, running out as far as the kelp patch marked on the chart to the eastward of Walrus Island, stood back for east anchorage, and anchored at 9.35 p. m., fog setting in immediately afterwards.

At 11.30 a. m. June 29, the fog lifting, got underway and set course NE. ¾ E., dense fog settling down at 1 p. m. Returned to the anchorage at 2.47.

Moderate gale coming up on the morning of June 30, got underway at 8.10 a. m., and stood around to Village Cove, anchoring there at 8.55. Force of wind 5–8, moderating at 3 a. m. July 1 to 2–3. Thick fog and mist during this time, wind commencing from NNE. and going around by the northward to NW. by N.

The fog lifting at 10.45 a. m. July 1, spread fires, and at 11.15 got underway, stood around the reef and shaped course NNE. ½ E. Fog setting in at 2 p. m., and no prospect of its lifting, at 5 p. m. shaped course back to the anchorage, anchoring at 8.42 p. m. off half-way point.

At 8.45 a. m. July 2 spread fires, and at 9.15 got underway, stood down for east anchorage, anchoring at 9.55.

July 3, fog lifting at 10 a. m., spread fires at 10.48, and got underway at 11.07, standing around the island to the westward, and to the northward and eastward of Walrus Island; foggy at intervals, with clear sky between, until 6 p. m., when settled down to dense fog, which continued during the night. Anchored at east anchorage at 11.57 p. m.

July 4 dressed ship at 8 a. m., in accordance with Navy regulations, fog lifting and weather clear until 9 a. m., when fog settled down again. At 6 p. m. undressed ship.

At 8.50 a. m. spread fires, and got under way at 9.30 a. m., having on board special Treasury agent Mr. Crowley, and his two assistants, Mr. Adams and Mr. Judge, who desired to go to Otter Island, for the purpose of visiting and inspecting the same, under instructions from the Treasury Department. Stood to eastward as far as Polivina Point, when changed course for Otter Island with Sea Lion Rock abeam at 10.45, when dense fog settled down. At 12.50 p. m. came to anchor near Otter Island, fog being too dense to make landing. At 6.50 a. m. July 8, fog lifted, continuing cloudy and foggy at intervals. At 9 got under way and stood in close to the landing with ship, anchoring at 9.22 in 8¾ fathoms of water. Mr. Crowley and his assistants landed at 9.30 and returned on board at 11.45 a. m. At 1.15 p. m. got under way and stood for Village Cove anchorage, of St. Paul Island, anchoring there at 2.15 p. m. The Treasury officials left the ship at 2.30 p. m.

At 6 p. m., July 8, wind commenced blowing fresh from SSE., moderating at intervals until 3 a. m., July 9, when it increased to a force of 3–5, in squalls, until 11 a. m., when the force increased to 7, with wind from SSE., overcast, cloudy, foggy, misty and drizzling weather. The squalls freshening and no appearance of the weather breaking, I got under way at 5.55 p. m. and stood around to the westward for the north anchorage, anchoring there at 8.47 p. m. in 9 fathoms water. The wind had increased at this time to a force of 8. The gale moderating at midnight, blowing in squalls, force 4–6, and at 9 a. m. of the 10th, force 2–4, with rain, wind SE. by S. At 10 a. m. wind freshening again in squalls, weather the same, and continued freshening until 2 p. m., when it was blowing 5–7, at 3 p. m. 6–7, and at 7 p. m. 6–8, continuing with this force, weather and wind the same, until midnight. At 1 a. m. of the 11th it was blowing with a force of 5–7, at 2 wind changed to SSE., at 4 and 5 a. m. force 5–8, 6 a. m. 5–7, moderating at 8 to 3–5, increasing at 9 to 4–6, until 1 p. m., when it was 5–7 from SE. by S., at 2 p. m. 4–6, at 6 p. m. wind SE., at 8 p. m. began to moderate, weather same, wind from SE. by S., finally going to southward and westward at 4 a. m. July 12 and blowing out on that quarter; at 4 p. m. of that date, weather overcast, cloudy, and misty.

At 4.30 p. m., July 12, got under way and stood around NE. point, finding the swell very heavy on that side of the island, returned to the north anchorage at 7.04 p. m. At 7.50 p. m. exchanged distinguishing pennants with the *Albatross*. She came in and anchored at 8.15. Her commanding officer came on board and delivered to me the sealed instructions sent by you. She got under way again and left the anchorage at 10.47.

The weather being clear, at 9.38 a. m., July 13, got under way and stood around west end of the island for Village Cove, anchoring there at 12.25 p. m.; weather overcast and cloudy.

At 8.50 p. m., July 14, made out the U. S. S. *Mohican* from masthead, anchored in Lukannan Bay.

At 8.45 a. m., July 15, got under way in a dense fog and steamed around reef for the purpose of anchoring near the *Mohican*. At 9.42 made her out at anchor off Stony Point, and anchored near her at 9.56 in Lukannan Bay and paid an official visit to the commanding officer Bering Sea fleet.

At 11.45 a. m., July 15, sighted the U. S. S. *Yorktown* coming from the southward. She came in and anchored at 12.20 p. m.

July 16 got under way at 6.40 a. m., in obedience to your instructions delivered to me the evening of the 15th, and proceeded to St. George Island, arriving there at 11.35 a. m. in dense fog and found the U. S. S. *Alert* at anchor. The commanding officer of the *Alert* repaired on board in obedience to signal, and I delivered to him the sealed instructions sent by you. At 12.20 went ahead, setting course for Unalaska, arriving there at 12.40 p. m., July 17.

Found the British schooners *Triumph* and *Sapphire* in port and sent an officer to board and warn them. See boarding list, inclosure No. 4.

At 2.40 p. m. went alongside the steamer *Willamette* to receive coal and water.

The U. S. S. *Adams* came into the harbor and anchored at 4 p. m.

Inclosure No. 1, in duplicate, contains a detailed statement of courses steered and distance covered from June 19 to date.

The *Ranger* will leave this place about 6 o'clock this p. m. in obedience to your instructions.

Very respectfully,

E. LONGNECKER,
Commander, U. S. Navy, Commanding.

The COMMANDING OFFICER U. S. NAVAL FORCE,
Bering Sea.

[Inclosure.]

U. S. S. ADAMS (THIRD RATE),
Dutch Harbor, Unalaska, July 18, 1894.

SIR: I respectfully submit the following report of the cruise of this vessel from July 2 to July 17:

Left Dutch Harbor at 12.50 p. m. on the 2d, and passed through Unalga Pass at 4 p. m. the same day. Changed course to northward and eastward, and at 8 a. m. on July 3 boarded the American fishing schooner *Uranus*, of San Francisco. She was equipped for cod fishing and had been previously boarded by the U. S. S. *Mohican*. Furnished the master with the usual printed matter relating to acts, etc., on fur-seal fishing.

Proceeding, came to anchor at 1.30 p. m. on July 3 in Isanotski Strait and established a camp of observation on the island of Unimak, at the entrance of the pass. Landed six men, in charge of Ensign G. R. Marvell, United States Navy, fully rationed and equipped to occupy the camp and guard the pass, leaving with them the ship's dingey. At 5.40 p. m. that day left the strait and stood to the westward of Sannak Islands to begin the zigzag cruise off the Sannak and Shumagin islands.

At 10.40 a. m., July 4, in latitude 54° 08′ N. and longitude 163° 00′ W., boarded the American schooner *Hunter*, master, Charles Poole, of Unalaska. She was equipped for sea-otter hunting, and had been previously boarded by the U. S. S. *Concord*. She had on board arms and ammunition unsealed, passed by the *Concord* when boarded by that vessel. Stood on course again and examined the inlets and harbors of Big and Little Koniushi islands for presence of sealers. Found none and stood off for Kupreanoff Point, arriving there about 7 p. m. on the 5th. Finding no promising anchorage, stood back and anchored in Yukon Bay, Big Koniushi, at 9.27 p. m.

Remained here until 3 a. m. on the 6th, taking advantage of fair weather to clean ship and commence small-arm target practice.

Entered and reconnoitered Steporak Bay, looking into Fox Bay in passing, and finding no sealers stood to southward and westward to Portage Bay, where, at 2.40 p. m., on July 7, the ship was anchored. At 6 a. m. on July 8 left Portage Bay, and at 9.15 a. m. same day came to an anchor in Beaver Bay. Found no evidences of sealers here and found Otter Bay to be a marsh with numerous small lakes distributed within it.

On July 9, the weather being unfavorable to safe navigation in these parts on account of fogs, remained at anchor and held stationary great-gun practice and pistol practice.

The weather continuing very thick and foggy, remained at anchor until the 11th, and then proceeded to Pavlof Bay, anchoring near its head at 2.30 p. m. the same day. Finding no evidences of sealers here, and the weather clearing on the morning of the 12th, stood out of Pavlof Bay and through the pass between Outer and Inner Iliasik islands and up to an anchorage off Belkofski.

Here, on the afternoon of 13th, held moving great-gun target practice. In the forenoon of the 13th sent the steam launch in charge of the navigator to Bailey's Harbor.

Found no evidence of sealers. Left Belkofski anchorage at 8 a. m., on the 14th, and stood for Isanotski Strait, looking in Cold Bay and Morzhovoi Bay. On evening of July 14 anchored in lee of mainland at entrance of strait. Anchored off the camp of observation in the morning of the 15th. Broke camp and brought observation party on board.

A party in charge of Lieut. C. F. Norton cruised up the strait in steam launch.

Following is a list of vessels boarded by Ensign Geo. R. Marvell, in command of observation party:

American schooner *Emma*, master, Benson, of San Francisco, previously boarded and sealed by the *Petrel*, and afterwards boarded by the *Concord*; American schooner *Everett Hayes*, previously boarded by *Concord* and this vessel: American schooner *Foam*, of Auga, tied up at the village of Morzhovoi, no arms or ammunition on board; master, Nicolai Olgu; an unarmed schooner, master, Paul Hausen, a bear hunter, returned from north side of peninsula with bear skins; sloop *Anna*, of Belkofski, bear hunter, and two fishing sloops, *Atila*, Charles Petersen, master, and one unarmed, P. Johnson, master.

Before leaving Isanotski Strait on the afternoon of July 16, boarded fishing sloop *Annie*, of Belkofski, Boge, master; she had no arms or ammunition on board.

Sighted several seals on July 3, near the entrance to Isanotski Strait, making for the pass. Left the anchorage in the strait at 1.30 p. m. on the 16th and stood along coast of Unimak Island, toward Unimak Pass, bound to Unalaska. Arrived in Dutch Harbor 3.55 p. m., on the 17th.

A supplementary report of the cruise will be submitted by the navigator, Lieut. W. P. Elliott; also a report on the camp of observation by Ensign G. R. Marvell.

Very respectfully,

J. J. BRICE,
Commander, U. S. N., Commanding.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Forces, Bering Sea.

[Telegram.]

WASHINGTON, *July 24, 1894.*

Commander CLARK,
Steamer Mohican, care Branch Hydrographic Office,
Port Townsend, Wash.:

Referring to letter of July 7, send to the Asiatic station the *Concord* and the *Petrel* at once.

HERBERT.

NAVY DEPARTMENT,
Washington, July 24, 1894.

SIR: I have the honor to inform you that circular letter No. 17, dated July 2, 1894, issued by you to the force under your command, is approved by the Department.

Very respectfully,
H. A. HERBERT,
Secretary of the Navy.

Commander C. E. CLARK, U. S. N.,
Commanding U. S. Naval Force in Bering Sea,
U. S. S. Mohican, care Navy Pay Office,
San Francisco, Cal.

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, July 27, 1894.

SIR: I have the honor to inclose herewith and to forward by the American ship *Iriquois*, bound for Port Townsend, reports of commanding officers and copies of circulars and orders issued.

The *Alert* arrived here on the 24th, and will be detained until the morning of the 30th, by which date the repairs on her boilers will be completed. The *Albatross* arrived at noon of the 25th and the *Petrel* late in the evening of the same day. All the vessels will sail on the morning of the 30th for the Pribilof Islands, taking different routes and covering much of the ground where sealers are liable to be fallen in with.

The *Yorktown* and *Adams* are guarding the Pribilof Islands, the *Ranger* is cruising to the eastward on the track of the seal herd and where sealing vessels coming from the southward may be intercepted, and the *Concord* and *Corwin* are cruising off the passes.

There are one American and three British sealing vessels now in port, and two have lately sailed. The steamer *Fearless*, built in Norway, owned in San Francisco, and under the Nicaraguan flag, is here. She was engaged in sealing last summer on the cost of Asia, but not under the present owners, and the agent now on board states that she is here to await a whaling outfit to be sent up from San Francisco, and that when received she will sail for the Arctic.

Very respectfully,
C. E. CLARK,
Commander, U. S. N.,
Commanding U. S. Naval Force in Bering Sea.

The SECRETARY OF THE NAVY.

[Inclosure—Confidential.]

[Circular to Commanding Officers, No. 21.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, July 24, 1894.

On the 1st of August the number of vessels stationed at the Pribilof Islands will be increased, and those not employed on guard duty, as required by Circular No. 9, will, when the weather permits, patrol the zone in which sealing is prohibited.

The senior officer present will see that frequent runs are made between the islands and the 60-mile limit, in order that the position of sealing vessels discovered may be readily determined, exchanges of duty effected, and coal expenditure more nearly equalized.

In case of a seizure, the vessel making it will return immediately to the islands and verify the position.

Vessels approaching the limit from the outside will be governed in regard to signals and lights by the instructions contained in the Rules of the Road.

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

[Confidential.]

[Circular to Commanding Officers, No. 22.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, July 24, 1894.

Sealing vessels fallen in with after the 31st of July, in the Bering Sea, are to be carefully searched to see if there are any implements on board, not under seal, except spears, that could be used in fur-seal fishing.

A number of skins are to be taken indiscriminately and examined to see if there are any marks of shot, as cheap firearms, to be thrown overboard with ammunition when escape is found to be impossible, may be carried.

The signal cannon used in thick weather for recalling boats, and the powder required for that purpose are not to be considered as coming under the head of articles to be kept under seal.

A licensed vessel using spears only and having the seals upon her firearms, ammunition, nets, etc., intact, is not to be seized unless it is evident that the seals on the spears were broken before the 1st day of August, 1894.

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

[Circular to Commanding Officers, No. 23.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, July 26, 1894.

In order to avoid unnecessary repetitions in orders issued to vessels, describing cruising limits, the zone surrounding the Pribilof Islands, within which sealing is prohibited, will hereafter be referred to as "the 60-mile zone."

The space included between a line drawn from the central point of "the 60-mile zone" to St. Matthew Island, and another from the central point to Cape Newenham, but outside "the 60-mile zone," will be known as the "northeastern quadrant."

That between lines drawn from the central point to Cape Newenham and to Cape Cheerful, but outside "the 60-mile zone," as the "southeastern quadrant."

That between lines drawn from the central point to Cape Cheerful and to Attu Island, but outside "the 60-mile zone," as the "southwestern quadrant."

That between lines drawn from the central point to Attou Island and to St. Matthew Island, but outside "the 60-mile zone," as the "northwestern quadrant."

C. E. Clark,
Commander, U. S. N.,
Commanding United States Naval Forces in Bering Sea.

[Inclosure.]

U. S. S. Mohican (Third Rate),
Dutch Harbor, Alaska, July 25, 1894.

Sir: On the morning of the 30th instant, weather permitting, and the repairs on the boilers being completed, proceed to the Pribilof Islands for guard and patrol duty, as prescribed for in Circular to Commanding Officers Nos. 9 and 21.

If there is any doubt about being ready for sea by that date a report is to be made upon the repairs in progress at once.

Very respectfully,

C. E. Clark,
Commander, U. S. N.,
Commanding United States Naval Forces in Bering Sea.

The Commanding Officer U. S. S. Alert.

[Inclosure.]

U. S. S. Mohican (Third Rate),
Dutch Harbor, Alaska, July 26, 1894.

Sir: Your orders dated July 11 are so far modified that you will please cruise in the "northeast quadrant" as specified in Circular to Commanding Officers, No. 23, instead of the "northwest quadrant," but this is not to interfere with your visit to St. Matthew's Island.

Very respectfully,

C. E. Clark,
Commander, U. S. N.,
Commanding United States Naval Forces in Bering Sea.

The Commanding Officer U. S. S. Yorktown.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, July 26, 1894.

SIR: Your orders of July 11 are hereby revoked and you will relieve Commander Folger of the duties of senior officer at the Pribilof Islands when he sails for a cruise to the northward.

You will please see that the instructions contained in Circular to Commanding Officers, No. 9, are carried out until you are relieved by the commanding officer of the *Concord.*

Very respectfully,
C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER U. S. S. ADAMS.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, July 26, 1894.

SIR: Proceed with the vessel under your command to the Pribilof Islands, where you will please relieve Commander Brice as senior officer and will also assume the duty of patrolling the 60-mile zone, in which sealing is prohibited.

You will find the *Adams*, *Petrel*, and *Alert* at the station and will please see that the instructions contained in Circulars to Commanding Officers, Nos. 9 and 21, are fully carried out.

When another vessel ordered for guard and patrol duty arrives at the station, deliver the inclosed orders to the commanding officer of the *Adams* and direct him to proceed immediately upon the duty assigned.

Very respectfully,
C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER U. S. S. CONCORD.

[Inclosure.]

U. S. S. ALERT (THIRD RATE),
St. George, Pribilof Islands, July 21, 1894.

SIR: I have the honor to report that, after filling up with coal at Dutch Harbor, I left there June 17 at 8 a. m. for the Pribilof Islands, in obedience to your order of June 5.

Arrived off St. George at 8 p. m. June 18. Finding the *Petrel* there and no other vessel on the station, I sent her to guard St. Paul Island, and remained with the *Alert* off St. George.

On June 19 I communicated with United States Treasury agent Jos. B. Crowley as to the necessity of landing a small force on the islands for the protection of the rookeries against raiding boats, and was informed by him that no further protection than the presence of the patrolling vessels was necessary or desirable at the time. I then arranged with him to make the following signals from the flagstaff at the village: Signals at St. George Island (International Code): W, vessel to the west. B, vessel to the east. S, vessel to the south.

At 4.30 a. m. June 21 the *Ranger* appeared off the northeast coast of St. George, spoke with this vessel, and proceeded in the direction of St. Paul Island.

On July 12 the *Albatross* communicated with this ship and delivered to me your order dated Unalaska, July 7, directing me to remain at the islands as long as the amount of coal on hand would permit.

On July 14 the *Mohican* arrived off the island and I received your order of July 14 to sail for Unalaska upon the arrival of the *Adams*.

On July 15 the *Ranger* brought me your order of same date to proceed to St. Paul for the Fish Commission naturalist and then return to St. George. I arrived off St. Paul at 7 p. m. that evening, took Mr. Townsend, naturalist, on board and sailed for St. George at 5.30 a. m. July 19, arriving back off St. George at 3 p. m. same day, at which time I was placed on the sick list and relieved from duty by the executive officer, Lieut. J. H. C. Coffin.

No sealers have been sighted since my last report.

Very respectfully,

WM. A. MORGAN,
Commander, U. S. N., Commanding.

The COMMANDING OFFICER U. S. NAVAL FORCE,
Bering Sea.

[Inclosure.]

No. 13.] U. S. S. PETREL (FOURTH RATE),
Dutch Harbor, Unalaska Island, July 25, 1894.

SIR: I have the honor to submit the report of the *Petrel's* last cruise, from July 7 to July 25 inclusive, made in obedience to your order dated Dutch Harbor, July 7, 1894, directing the ship under my command to visit Issannakh Pass, to search for the seal herd as far as 157° W. longitude, and to make reconnaissances of the harbors of the Shumagin and Sannak groups of islands, the reconnaissance of the Sannak group to be made with the assistance of the *Albatross*.

The *Petrel* sailed from the inshore side of the coal dock the afternoon of July 7, as soon as the tide permitted her departure. The fog which prevailed in the harbor at the time was found to be dense outside, too thick even to distinguish Unalga Pass, so steamed to a position favorable for going through Unimak Pass as soon as the fog should lift. Stopped the engine and lowered the deep-sea lead to 50 fathoms to act as a "sentinel." Drifted until the morning of the 9th, when the fog lifted sufficiently long to point the vessel through Unimak Pass. When at the eastern entrance of the Pass, met the U. S. S. *Yorktown* as she loomed out of the fog. Through the courtesy of Commander Folger, mail from San Francisco was received. Steamed slowly along the southeastern shore of Unimak Island, but, the fog being too thick to navigate interior waters, stood for the land and anchored off Cape Lazareff with stream anchor and steel hawser. The morning of the 10th of July got under way and steamed slowly to the eastward from point to point of the coast, the fog still prevailing. Rounded Cape Pankoff the same afternoon, where, finding a vessel in the Eastern Cove anchorage, stood into the harbor and "came to."

The vessel at anchor was found to be the three-masted fishing schooner *Uranus*. Before being boarded by the *Petrel*, the *Uranus* had been warned by the *Mohican* and two other vessels belonging to the Bering Sea fleet. On the southern shore of the harbor was found the cod-fishing establishment of the McCullum Fishing and Trading Company of San Francisco. As fifty dories are employed in fishing on the reefs off Cape Pankoff directly in the route of fur seals making their way to Issanak Pass, the company was warned. July 11, left Eastern Cove anchorage for Issannakh Pass, but upon arriving outside the harbor the fog was so dense that the shore could not be seen "close to," which is necessary to avoid the shoals on either hand. The *Petrel* returned to her anchorage at Eastern Cove.

The *Petrel* left Eastern Cove the afternoon of July 12, communicated with the camp established by the U. S. S. *Adams* at entrance of Issannakh Pass, and at 5 p. m. approached the passage of Issannakh Pass in order to proceed to Morzhovoi village. Although by the establishment and by observation the tide should have been an hour on the ebb, it was found to be flooding. Made the attempt two hours later, but finding the flood still making strongly, sent a boat to Morzhovoi village and to examine the adjacent waters, as the *Petrel's* orders to take her departure from the pass by the 12th instant, if the *Albatross* had not then arrived, was mandatory.

The reconnaissance of Issannakh Pass to Morzhovoi village and adjacent waters, by the whale boat of the *Petrel*, Ensign G. B. Bradshaw in charge, boarded and warned the following vessels. No evidence of violation of sealing laws having been found aboard said vessels, all of them having been previously warned: Schooner *Everett Hays*, Master Charles Rainford, 37.48 tons; *Foam*, Master Nicolai Olgin, 6 tons, schooner rig; and the small fishing boats of about four (4) tons, *Atila* (so spelled), Master Chas. Peterson, and two not named (Paul Hansen, the master of one, P. Johnson the master of the other). After making a thorough examination of the pass, the boat returned to the *Petrel*.

July 13, the *Albatross* not having arrived, sailed from Ikatan Bay, passing between Cape Pankoff and the outlying rocks, and stood to sea as ordered, south of the Sannak Islands, and then to eastward to investigate if any of the fur-seal herd were still in those waters, en route to the Pribilofs. By mid night of the 14th the usual route of the seal herd had been traversed as far as the one hundred and fifty-seventh meridian west, without sighting any seals, demonstrating that the views of the commander in chief were correct. The seal herd had, at this date, passed into Bering Sea. Shortly after midnight of the 14th of July, headed for Simeonof, the southeastern island of the Shumagin group.

THE RECONNAISSANCE OF THE HARBORS OF THE SHUMAGIN GROUP OF ISLANDS.

July 15 opened exceptionally clear, and the only day this season clear of fog. Took advantage of the favorable conditions of atmosphere by speeding the *Petrel*, and accomplished the reconnaissance of the following harbors in the Shumagin group, east of Gorman Straits: Simeonofski Harbor, Simeonof Island, Sandy Cove and Northwest Harbor, Little Koniushi Island, Yukon Harbor, Big Koniushi Island, then passed between Cape Thompson and Castle Rock, rounding Wedge Cape into West Nagia Straits and examined on the west coast of Nagai Island, Sanborn Harbor, Eagle Harbor, and Falmouth Harbor. Found all the above harbors without shipping. Night coming on, anchored about 8 p. m. off Delarof Harbor, island of Unga, and sent whale boat to board the vessels in that harbor.

The following vessels, all American, were boarded and warned in Delarof Harbor; the brigantine *Matthew Turner*, of San Francisco, 470 tons register, freighted with stamps and mining goods for Alaska Commercial Company, M. Paulsen, master; *Hannah*, schooner, 3½ tons, O. W. Carlsen, master; schooner *Mary*, 3 tons, Isaac Hubley, master; schooner *Spray*, 3 tons, John Smith, master; sloop *Kittie Shaw*, 2 tons, H. Turner, master; sloop *Jesse*, 3 tons, George Alberts, master. All these vessels were examined carefully, but no signs of their being engaged in sealing were found.

July 16 got under way for Issannak Pass, there to meet the *Albatross* on the 18th instant, in order to carry out with her the reconnaissance of the Sannak Islands. Passed between Popoff and Korovin Islands, examining en route Pirate Cove and Coal Harbor; thence through Unga Straits to the westward as far as Pavlof Bay, looking carefully for shipping in the numerous coves on the way, without sighting any vessel. In the afternoon the fog shut in so thick it was impossible to proceed, so anchored in Pavlof Bay.

July 17 the weather cleared with a fresh wind from the northward. Got underway and made the interior passage as directed between the outer and inner Iliasik Islands. In passing viewed Nicolofski, Belkofski, and other anchorages, but saw no signs of shipping. After leaving Fox Island took the northern route to Issannak Pass, hugging the shores of Amagat and Sankin Islands. On the afternoon of the 17th anchored under the bluff on the north side of Ikatan Bay, at the entrance to Issannak Pass, to await the arrival of the *Albatross*, which vessel I was ordered to meet on July 18. On July 19, the wind shifting to the southward, got underway and anchored under the bluffs on the southern side of Ikatan Bay, opposite Sankin Island. On the 20th, thick fog prevailing, heard *Albatross* steam whistle, which answered. *Albatross* then anchored near *Petrel*. Densely thick weather prevailed until the 22d instant, when it lifted sufficiently for both vessels to get underway and stand for the Sannak Islands.

When half the distance between Cape Pankof and the port of Acherk, Sannak Island, had been made, fog set in again. The port was however reached, when both the *Petrel* and *Albatross* anchored. The fog was so dense that it was not deemed advisable for the vessels to cruise between the islands and reefs as contemplated, but it was considered feasible to inspect Pavlof and Caton harbors by means of boats. Also, one advantage would accrue from the visit in thick weather—that if any vessel was in either harbor they would be boarded without any warning. Also, it was deemed of importance to make the search at once before warning could be given. The *Albatross's* steam launch, Ensign W. R. Shoemaker, and the *Petrel's* whale boat, Ensign M. L. Bristol, were detailed to search Pavlof and Caton harbors and adjacent waters, Mr. Shoemaker being in charge of the party. They were accompanied by Mr. Leonard, the pilot aboard the *Albatross*, and Mr. Peterson, employed by me to assist in the passage of the reefs, Mr. Peterson being considered the most experienced pilot about the islands. The expedition made a thorough search of Pavlof and Caton harbors and the adjacent waters without finding any vessels, and returned before midnight to their respective ships.

On the 23d instant the *Hunter*, 60.17 tons, Chas. Poole, master, was searched. She had a clearance from Unalaska for otter hunting, and had been boarded by several of our cruisers. She is the only vessel hunting in the Sannak waters at the present time.

The reconnaissance of the Sannak Islands as directed by you having been accomplished, I gave Lieut. Commander F. J. Drake instructions relieving the *Albatross* of further duty in connection therewith. Lieu.

tenant-Commander Drake being anxious to obtain a line of soundings along the northern shore of Sannak Islands, it was decided that the *Petrel* and *Albatross* should wait another day for the fog to clear up, in order to make the circuit of the islands and then steam to Unalaska.

On the 24th, at noon, the weather still being too thick to navigate the Sannak Reefs, the *Albatross* sailed for Dutch Harbor.

Fur seals.—From the close lookout kept in the crow's nest and on deck 4 fur seals were seen during the cruise; 1 yearling in the Bering Sea, July 8, latitude 54° 43′ north, longitude 166° 10′ west, and 3 yearlings to the southward and eastward of the Shumagins in latitude 54° 44′ north, longitude 157° 51′ west. From the sluggishness of the movements of the latter they may have been wounded seals. The above observations are confirmed by the fishermen and others with whom the *Petrel* has fallen in along the coasts of the various islands, all of whom say that the seal herd had passed into Bering Sea by the 15th of July, and it is their concurrent opinion that the herds were smaller than last year.

Vessels fallen in with.—A list of the vessels boarded by the *Petrel* up to date is respectfully inclosed, marked A. Of the vessels boarded this cruise, it will be observed that all had been previously boarded several times by the different cruisers belonging to the Bering Sea fleet, the only exceptions being the brigantine *Matthew Turner*, recently arrived at Delarof Harbor, laden with mining stores. Attention is respectfully called to this as showing how thoroughly the waters have been patrolled.

The tracing of the present cruise, and the latitude and longitude of the principal changes of course are respectfully inclosed, marked B.

Distance run during cruise from July 7 to July —, inclusive, 8,201 miles. From Hongkong to July 7, 992.3 miles. Total distance run by *Petrel* since receipt of orders, 9,193.3 miles.

In conclusion, I beg leave to state that the fog lifting sufficiently to render an entrance to the passes feasible, the *Petrel* left Acherk Harbor, Sannak Island, July 25, at 4 a. m., arriving at Dutch Harbor, Unalaska, this day, July 25, 1894, at 9.37 p. m.

I have the honor to be, very respectfully,

W. H. EMORY,
Lieutenant-Commander, Commanding.

Commander C. E. CLARK, U. S. N.,
Commanding Mohican and
United States Naval Force in Bering Sea.

[Inclosure.]

U. S. S. ALBATROSS, BERING SEA SQUADRON,
Dutch Harbor, Unalaska Island, Alaska, July 25, 1894.

SIR: The *Albatross* sailed from Unalaska (Dutch Harbor) at 6 a. m. July 8; weather foggy, light airs outside from SW., which gradually increased during the day. The morning of the 9th a moderate gale was blowing from SW. (magnetic), sky overcast, misty, and thick fog. St. George Island was on the weather side, running in by the lead and picking up the surf on the beach. Rounded the island (NE. point) and anchored off the village in 9½ fathoms, where the *Albatross* rode out the gale, which lasted until the 12th. Found the U. S. S. *Alert* at anchor here, but was unable to communicate with that vessel until the morning of the 12th, when I called upon Captain Morgan and delivered "confidential orders." The back set around both ends of the island during the gale produced a heavy surf on the beach, cutting off all communication with the shore. The weather still being unsettled, with heavy fog overhanging the island, it was decided to postpone the two days' work of the naturalists at the rookeries; scheduled for St. George, until the latter part of this month or the first part of August.

The *Albatross*, accordingly, got under way for St. Paul, and anchored on the north shore at 8.20 p. m. near the U. S. S. *Ranger*, which had ridden out the gale at this anchorage. I visited the commanding officer of the *Ranger*, delivered "confidential orders," and explained to him your instructions relative to the transfer of Messrs. Townsend and Miller to St. George when they shall have completed their work on St. Paul. The naturalists and Mr. J. Stanley Brown were accordingly landed that evening (12th July), together with their outfit, and the *Albatross* left St. Paul at 10.55 p. m. for Isanotski Strait.

The morning of the 13th, at 10 a. m., when 44 miles from St. George, bearing WSW. ¼ W. (magnetic), a peculiar noise was heard in the port high-pressure cylinder. It therefore became necessary to stop the engines and make an examination. The weather being pleasant, with comparatively smooth sea, expedited the work of removing the piston head, when it was discovered that one dowel pin in the follower which holds the expansion rings in place, also one between the rings, had sheared, thereby upsetting the adjustment of the rings and scoring the leading face of the cylinder somewhat. Repairs were speedily made, the pins replaced, upper end of cylinder faced down, rings and follower reset, head adjusted, and engines started ahead again at 4.40 p. m. The high-pressure cylinders of these engines, which are set at an angle of about 15° with the vertical, are commencing to show their wear to that extent that they are much out of the true, and it will therefore be necessary at the end of this season's work to have the cylinders rebored, new followers and rings adjusted, and other minor repairs made which can only be done at a regular repair shop or navy-yard.

July 14, at 5 p. m., when off Unimak Pass, bearing S. (magnetic) latitude 54° 31′ N., longitude 165° 10′ W., boarded the *Uranus*, a fishing schooner from San Francisco bound into Bristol Bay for cod fishing on Slime and Baird banks. Passed through Unimak Pass and headed for Cape Pankof, southeast end of Unimak Island. Ran a line of soundings and cut in various points of the coast line from Cape Lazareff to Ikatan Bay, at the mouth of Isanotski Strait, or False Pass, as it is known locally, on the 15th instant. Anchored off the mouth of the pass near U. S. S. *Adams*, in order to observe its approaches. July 16, made a reconnoissance of Ikatan Bay, locating its principal points. Got under way at 2.20 p. m., and proceeded through False Pass and anchored off Morzhovoi village in 4 fathoms.

The cove in which vessels anchor is situated on the east side of the pass and about 7 miles from its southern entrance. A soft muddy bottom gives good holding ground; and a high bluff and mountain on the north side afford good shelter from northerly winds and sea. The anchorage is open to wind and choppy sea from NW. to SW. During our stay of three days in this port, a close observation was kept of the pass, and only one vessel entered—came to the anchorage, remained over night, and passed out to the northward the next day—

namely, the schooner *Olga*, engaged in otter hunting. No fur seals were seen in this place.

The machinery and boilers were overhauled and temporary repairs made. The officers of this vessel made a reconnoissance of the pass and anchorage, running various lines of soundings. Tidal and current observations were carried on, and advantage was taken of every opportunity to add to a better knowledge of this locality which our limited time would allow. Having completed repairs, got underway the morning of the 20th and steamed out of the pass in a thick fog and strong ebb tide running. Found the U. S. S. *Petrel* at anchor in cove on south side of Ikatan Bay near its eastern entrance, picking up her position by the sound of her steam fog whistle in response to our own. I reported to Lieut. Commander W. H. Emory in obedience to my orders of July 7.

The fog lifting on the forenoon of the 22d, got under way in company with the *Petrel*, and laid course for the Sannak Islands. Ran a line of soundings from Cape Pankof to entrance to Acherk Harbor, Sannak Island. Arrived off the harbor at noon; the weather misty and fog shutting down prevented a continuation of our course and soundings along the north shore of the Sannaks, hence came to anchor at the entrance to Acherk Harbor. Lowered steam cutter, fitted it out for a two days' trip, and in charge of Ensign W. R. Shoemaker, under orders from Lieutenant Commander Emory, it proceeded with the *Petrel's* whale boat in tow and Ensign Bristol, of that vessel, to search the shore line and bays of the Sannaks. Their examination extended to Peterson, Caton, and Pavlof Harbors, the northern and eastern shore-lines of the islands and reefs adjacent. The expedition was successful in carrying out its object, but fruitless in discovering the presence of sealers or other crafts, as none have remained in this vicinity.

The weather remaining thick and blowing from the southwest precluded the possibility of running a line of soundings along the north shore of these islands and reefs, a circumstance which I regret, as I feel that it would have been a valuable aid to the future navigation of this region by vessels unacquainted with the locality. The *Albatross* accordingly sailed from Acherk Harbor on the forenoon of the 24th instant, bound for Dutch Harbor, Unalaska; weather misty with thick fog and light breeze, accompanied with drizzling rain from east. Passed through Unimak Pass at 8.30 p. m., the same day. The morning of the 25th, in latitude 54° 19′ N., longitude 166° 58′ W., sighted and boarded the American bark *J. D. Peters*, of San Francisco, from Port Clarence, Alaska, having taken a cargo of coal to that point for the United States revenue steamer *Bear*, which vessel was in port when the bark sailed on the 14th instant.

Made Cape Cheerful in a thick fog at 9.45 a. m., bearing SSE. (mag.) arrived in Dutch Harbor, and anchored at 11.30 a. m.

Summary of cruise—Boarded *Uranus* in latitude 54° 31′ N., longitude 165° 10′ W.; *Olga* at Morzhovoi Village; *J. D. Peters* in latitude 54° 19′ N., longitude 166° 58′ W. *Albatross* cruised 900.7 knots; steam launch 40 knots. No sealing vessels have been seen or encountered. Twenty fur seals have been seen in all, exclusive of those seen while at anchor off the Pribilofs.

The following papers, records, tables, etc., are respectfully submitted: Table of meridian positions; positions where course was changed, and daily distances steamed per log; tracing of track chart; table of soundings; record of fur seals observed; boarding record; meteorological record; duplicate of paper given to E. Lee, master of schooner *Olga*; and receipt of warning from S. F. Snow, master of bark *J. D. Peters*.

Very respectfully,

F. J. DRAKE,
Lieut. Commander, United States Navy, Commanding.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Forces in Bering Sea,
Dutch Harbor, Unalaska.

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, July 27, 1894.

SIR: I have the honor to call the Department's attention to the fact that no British cruiser has been at Unalaska this year and to the complications that have already arisen in consequence.

The British schooner *Wanderer*, whose seizure by the *Concord* was reported in my letter dated July 2, has been detained at Unalaska for nearly a month in expectation that a British naval vessel might arrive any day, and this expectation was not based simply upon the accepted understanding that British cruisers were to assist in the patrol, but upon the assurance of the commanding officer of H. M. S. *Pheasant*, who, as stated in my letter dated July 13, informed me when he left Sitka that a vessel would be sent immediately to Unalaska, calling at Sitka and St. Paul on the way. About the middle of July it was reported to me that the *Pheasant* had been seen at Portage Bay, near St. Paul, but some other vessel must have been mistaken for her.

The master of the *Wanderer* having reported that his provisions were exhausted and that he could not get any on credit because his vessel had been seized, and the report having been confirmed by the officer put in charge of the vessel, who, at my order, interviewed the different dealers here, I have ordered the paymaster of this vessel to issue rations for fourteen persons, the number on board the *Wanderer*, until a British naval vessel arrives, or until instructions have been received from the Department ordering her release or directing that she be sent to Victoria with witnesses, etc.

If the *Wanderer* is not condemned, the responsibility of the British Government for damages that may be adjudged beyond those resulting from her seizure and detention up to the time when she reached Unalaska (where we had every right to expect the presence of a British cruiser), seems clear enough, and it could be justly held that this responsibility attaches to the loss that our Government has been put to in supplying the *Wanderer's* crew with rations.

Should a British cruiser arrive to-day, it would be too late to send the *Wanderer* to Victoria in time for a return to Bering Sea in case of her release by the court, as a vessel would have to reach the sea early in August to warrant sealing successfully, there being few days after that month when the boats used by hunters could be safely lowered. The master of the *Wanderer* has asked if there is any chance of his being released by a British naval officer, and while I have given him no encouragement to look for such action, it is evident that this contingency is the only one that gives him any hope of being able to engage in sealing this year.

Copies of all the papers relating to the case are inclosed, giving the names of the officers and men concerned in the seizure. The Department can therefore designate the witnesses who are to be sent in the *Wanderer*, if she is to go to Victoria, and also decide whether they are to be detached from the *Concord* or not, and the vacancies filled by detail from the vessels that are to remain on this side.

It will be seen that section 4 of the British act applies exactly to this case.

Very respectfully,

C. E. CLARK,
Commander, U. S. N.,
Commanding United States Naval Force in Bering Sea.

The SECRETARY OF THE NAVY.

(Copy to State Department, September 25, 1894.)

[Inclosure.]

U. S. S. CONCORD,
Unalaska, June 16, 1894.

SIR: I have the honor to report that on June 9, in latitude 58° 21′ north, longitude 150° 22′ west, I boarded the sealing schooner *Wanderer*, bound to St. Paul, Kadiak. Although previously warned and her arms (ostensibly all) sealed, the boarding officer found concealed on board arms and ammunition suitable to the killing of fur seals.

The sea being rough I towed the *Wanderer* into St. Paul, and the next day I formally seized her, put an officer and three men on board, and directed the master to proceed to Unalaska.

My action is based on the last half of section 10 of the act of Congress April 6; the next to the last sentence in the "Regulations governing vessels," etc.; the Bering Sea award act, and paragraphs 1 and 3 of your confidential instructions of May 13.

Copies are inclosed of my declaration of seizure (1), my letter to the master of the *Wanderer* (2), and to Ensign Twining (3), of the master's protest (4), and my comments thereon (5), and of statements of the boarding officer, Lieut. E. F. Leiper (6), and of two enlisted men (7 and 8), who aided in the search.

Very respectfully,

C. F. GOODRICH,
Commander, United States Navy, Commanding.

The COMMANDER OF THE UNITED STATES NAVAL FORCE,
Bering Sea.

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(1)

Whereas the British sealing schooner *Wanderer*, of Victoria, British Columbia, No. 64139, was duly warned by the U. S. S. *Yorktown* on June 9, 1894, of the provisions of the Bering Sea award act, 1894; and whereas her master was furnished with copies of that act, of the proclamation of the President of the United States, dated April 9, 1894, and of his regulations governing vessels employed in fur sealing, and of the orders of the United States Secretary of the Navy to the commander of the United States naval force in Bering Sea; and whereas, on being so warned by the commander of the U. S. S. *Yorktown*, the master of the *Wanderer* did produce certain arms and ammunition to be sealed, which arms and ammunition he certified to be all belonging to that vessel or to any person attached to her, and that there was none away in boats, and whereas the arms and ammunition so produced were duly sealed by the U. S. S. *Yorktown*, and in consideration of this certificate on the part of the master of the *Wanderer* and of his application, he was granted a license to proceed to Bering Sea to continue sealing lawfully; and whereas, subsequent to the warning and certificate aforesaid, arms and ammunition suitable to the killing of fur seals were discovered concealed on board said *Wanderer* by an officer from the U. S. S. *Concord* after the said master had again stated that there were none such unsealed on board, he well knowing that there were such unsealed arms and ammunition on board; and whereas the possession of such unsealed arms and ammunition was in contravention of the Bering Sea award act 1894, clause 1, paragraph 2, and clause 3, paragraph 2, as well as of section 10 in the President's proclamation aforesaid, the schooner *Wanderer* is hereby ordered to proceed to Unalaska to be there handed over to the senior British naval officer present, in accordance with clause 3, paragraph 3, of the Bering Sea award act, 1894.

The condition of the *Wanderer* is good.

The *Wanderer* was searched by the U. S. S. *Concord* at about 4 p. m. June 9, 1894, in latitude 58° 21′ north, and longitude 150° 22′ west, and was then towed into the harbor of St. Paul, Kadiak Island, where she was formally seized as above stated on June 10, 1894, by the U. S. S. *Concord*.

Inclosed herewith are a list of the *Wanderer's* papers seized and the statement of the officer who made the seach, also the statements of two men.

C. F. GOODRICH,
Commander, United States Navy, Commanding the U. S. S. Concord.

JUNE 10, 1894.

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(2)

To Capt. HENRY PAXTON,
Sealing Schooner Wanderer:

Whereas your vessel was duly warned by the U. S. S. *Yorktown* on June 9, 1894, of the provisions of the Bering Sea award act 1894; and whereas you were furnished with copies of that act, of the proclamation of the President of the United States, dated April 9, 1894, of the President's regulations governing vessels employed in fur sealing, and of the orders of the United States Secretary of the Navy to the commander of the United States naval force in Bering Sea; and whereas firearms and ammunition suitable to the killing of fur seals were, subsequent to the above warning, found concealed on board of your vessel, after the arms and ammunition which you had declared to be all that were on board had been officially sealed by the U. S. S. *Yorktown*; and whereas in thus having concealed arms and ammunition on board you were acting in contravention of clause 1, paragraph 2, and of clause 3, paragraph 2, of the Bering Sea award act 1894, as well as of section 10 in the President's proclamation, it becomes my duty to direct you to proceed with the vessel under your command and all persons borne on your shipping articles to Unalaska, there to be turned over to the senior British naval officer present, for such action as he deems fit.

Ensign N. C. Twining and three men will be placed on board your vessel to see that you carry out these instructions without undue delay.

You are distinctly informed that your authority and responsibilities as master are in no wise affected or abridged, except in so far that your movements are confined to the passage from this port to Unalaska, and that you are ordered to retain all your crew on board until your arrival there. In other words, you remain in complete command of your ship and the duty of obedience by your crew to your lawful orders remains in the same force as heretofore.

Should a British man-of-war be encountered en route, her commanding officer will be requested to assume charge of the *Wanderer*.

Ensign Twining will be glad to render you any reasonable assistance in his power on the passage if you so desire.

You hold my receipt for certain documents, which I have found it necessary to withdraw from your custody.

C. F. GOODRICH,
Commander, United States Navy, Commanding.

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(3)

U. S. S. CONCORD,
St. Paul, Kadiak Island, June 10, 1894.

SIR: You are hereby placed on board the seized British schooner *Wanderer* to see that she proceeds without delay to Unalaska, where you will hand her over to the senior British naval officer present, taking his receipt therefor, with that of all inclosed papers.

You will have under your command an armed force of three enlisted men, rationed or one month.

You will not interfere with the duties of the master unless it becomes evident to you that he purposes escape or unreasonable delay. But you will give him such aid as he may desire and you can properly render.

On reaching Unalaska you will at once communicate with the senior United States naval officer present, if there be one, and show him these orders.

If there be no British ship in port, you will hold the *Wanderer* until one arrives.

Should you fall in with a British man-of-war en route, you will request her commanding officer to relieve you of the charge of the *Wanderer*, and to land you either at Unalaska or some other port where you may obtain transportation to that point.

When free of the *Wanderer*, await the *Concord's* arrival at Unalaska.

C. F. GOODRICH,
Commander, United States Navy, Commanding.

Ensign N. C. TWINING, *United States Navy.*

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(4)

C. F. GOODRICH,
Commander, of United States Navy,
Commanding U. S. S. Concord:

I, Henry Paxton, master of schooner *Wanderer*, hereby protest against the seizure of said vessel by U. S. S. *Concord* on the following grounds:

Having been searched and overhauled and afterwards licensed to proceed on the voyage by the U. S. S. *Yorktown* at 8.30 a. m., on June 9, 1894.

Within seven hours of departure of said U. S. S. *Yorktown* boarded and searched again by U. S. S. *Concord*, being on my way to St. Paul, Kadiak, at the time, and being found with one gun and thirty-nine shells, which had been hidden by the mate without my orders or knowledge, said gun and ammunition being the mate's private property.

Being in constant attendance on the officer of the U. S. S. *Yorktown*, could only give orders to the mate in regard to matters concerning guns, ammunition, seal skins, etc., expecting him to obey my orders, and having been on my feet for thirty-six hours, felt unable, after the officer of the U. S. S. *Yorktown* had left, to overhaul the vessel, and anyhow had full confidence in the mate that he would obey my orders.

At the time of boarding by the U. S. S. *Concord*, the vessel was beating to windward under all possible canvas for St. Paul, Kadiak. I told the officer that I would like, if possible, to get a tow, if the ship was bound that way; he replied he did not know where the ship was bound After the search being over, a rope was passed to the schooner, with the words to make the rope fast and the steamer would tow us to St. Paul.

The word seizure never mentioned nor any papers being confiscated, or any officer sent on board, our position being about 53 miles from St. Paul, where we arrived the following forenoon.

According to clause 3 of the instructions issued by the Navy Department, the seizure I consider to be illegal; also by towing the schooner into American waters from the open sea and then making the seizure.

Having arrived in St. Paul, Kadiak, was told to cast adrift the tow line, and, when I made sail to get into safe anchorage in the inner harbor, a boat came alongside and told me that my schooner was seized, against which I now protest.

H. PAXTON,
Master Schooner Wanderer.

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(5)

U. S. S. CONCORD,
At Sea, June 16, 1894.

DEAR SIR: I have the honor to inclose a copy of the protest of Henry Paxton, master of the schooner *Wanderer*, and to submit the following comments:

First. By the statement of the boarding officer it appears that the master was aware of the existence of the implicating articles, yet, in his certificate and application for license, he distinctly affirms that the arms presented to be sealed were all on board. His responsibility for the accuracy of the certificate is complete.

Second. The schooner had a leg-of-mutton main trysail set at the time of boarding—indeed, the same canvas as she generally used in "dodging about for seals."

Third. The tow to St. Paul would have been helpful if not followed by seizure. By section 520 of the merchant shipping act it would appear that the place of seizure is immaterial.

Fourth. I shall be glad to assist you in such further steps which you may deem proper to make.

Very respectfully,

C. F. GOODRICH,
Commander, United States Navy, Commanding.

The BRITISH SENIOR NAVAL OFFICER,
Unalaska.

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(6)

U. S. S. CONCORD,
St. Paul, Kadiak Island, June 10, 1894.

SIR: I respectfully report that, in obedience to your verbal order, I boarded, on June 9, 1894, at about 4 p. m., the British sealing schooner *Wanderer*, of Victoria, British Columbia, registered No. 64139, Capt. Henry Paxton.

At my request the master of the *Wanderer* produced all the ship's papers, and also a warning against sealing in proscribed waters, which had been served on him on the morning of June 9, 1894, by the U. S. S. *Yorktown*. Also a license to proceed to Bering Sea to carry on sealing under the law issued by the U. S. S. *Yorktown*.

In the official log of the *Wanderer* there were two entries under date of June 9, 1894, over the signature of Lieut. W. A. Gill, U. S. N., stating that in latitude 58° north, longitude 150° west, he had secured under seal the sealing outfit on board, and that there were then on board 400 skins and no bodies of seals. Further, that he had delivered to the master a warning and the following papers: British act, President's proclamation, President's regulations, and Navy Department's instructions of May 4, 1894. Also that he had that day placed under seal the following outfit on board in a box: 8,775 primers, 271 loaded shell, 74 empty shells, 370 pounds of buckshot, 10 pounds duck shot in a keg, 20 pounds of powder in a bag, 7,300 wads in a box, 11 spear heads, 7 shotguns.

I examined the seals on all these packages and finding them intact, asked the master of the *Wanderer* if those were all the guns and ammunition he had on board, and he replied that they were all.

I then had the skins counted and found 400 on board.

The mate of the *Wanderer* produced a small box in which I discovered two boxes of primers, 500 in all, and when I asked if they were all he had, he at first replied "Yes," and later he produced, in addition, a broken box. I then asked if he had any other implements on board, to which he replied that he had not, except some loading tools. This was in the presence of the master.

I directed C. Carlson (C. G. M.) to make a search of the vessel, and he and Henry Morley (O. S.) discovered in the extreme forward part of the vessel and between decks one breech-loading shotgun No. 12 gauge bore, and a bag of loaded shell suitable to use in this gun. (I have since inspected five of these shells, selected at random, and find them to be loaded with buckshot.) There were thirty-nine loaded shell in the bag. The gun and shells were secreted under a pile of iron cans and other articles, and were unsealed.

While I was making an entry in the log book regarding these implements, the master of the *Wanderer* said to the mate: "God damn it; I told you you ought to have had that put in with the others," or words to that effect. This remark showed that he was aware of the presence on board of this gun and ammunition when he told me that those sealed were all then on board, and later, when the mate told me, in the presence of the master, that he had nothing further than the primers and loading tools referred to. C. Carlson and H. Morley were witnesses and hearers of these remarks, one or both.

I took possession of the gun and shells and reported verbally to you.

On the morning of June 10, in the harbor of St. Paul, Kadiak, in obedience to your order, I informed the master of the *Wanderer* that you had determined to seize his vessel, and that you would assign reasons to him. I then brought him on board the U. S. S. *Concord*.

The unsealed gun of which I took possession was numbered 6642.

Very respectfully,

E. F. LEIPER,
Lieutenant, United States Navy.

The CAPTAIN.

(7)

U. S. S. CONCORD,
St. Paul, Kadiak Island, June 10, 1894.

I went on board the *Wanderer* with Lieut. E. F. Leiper, U. S. N., and while standing on the quarter deck I saw the captain of the *Wanderer* giving him a bundle of guns, which I saw was sealed. I stepped down into the cabin to see what kind of guns they were, and found them to be shotguns. I saw Mr. Leiper counting those guns, and he stated there were seven, and he asked if they were all the guns he had; to which the captain of the *Wanderer* replied that they were all there were on board. After which I proceeded to count the seal skins on board the *Wanderer*, as I was ordered by Lieutenant Leiper. I had two men from the boat's crew to help me, whose names were Henry Morley and Henry Rogers, and the mate of the schooner *Wanderer*, and I found 400 seal skins on board, which I reported to Mr. Leiper. Then after this was done Mr. Leiper asked if he might go around and see if I could find any nets, arms, or ammunition on board. I went in forecastle, looking there with my lantern, and I found people sleeping there in the bunks. I searched the bunks and I went forward to the eyes of the schooner, where I found a number of iron cans and one section of stove pipe. There I found a bag hidden away which contained 39 cartridges for a No. 12 bore shotgun, which I handed to Henry Morley, and he took it on deck, and I looking finally around the cans found a shotgun No. 12 bore, also hidden, which I also handed to Henry Morley, and he took it on deck; neither of them was sealed; after which I proceeded to Mr. Leiper and reported what I had found, and left it to Mr. Leiper's action. Mr. Leiper asked the mate, "How about that?" to which the mate replied he had stowed them down there himself. The gun and ammunition were taken on board the *Concord* and given in charge of Commander Goodrich.

After examining the cartridges, I opened five cartridges and found them to be loaded with buckshot ready for use.

CARL CARLSEN,
A. C. G. Mate, U. S. N.

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(8)

U. S. S. CONCORD,
St. Paul, Kadiak Island, June 10, 1894.

I was lying astern of the schooner, another man and myself. I was told to go below to count the seal skins with Mr. Carlson. We went forward into the hold and I then started to count the skins, and we found that there were 400. After that I went into the cabin with Mr. Carlson, and he asked me to go forward with him to see if we could find any nets. We looked in two of the boats, one inboard and one at the davits, and could not find any nets. We then went forward and looked around on the forecastle. We then went below and found men in the bunks. I overhauled the upper bunk, finding nothing. We then went forward on the port side, in the eyes of her, and found a bag of loaded shell. Mr. Carlson handed them to me to take care of them. We then went on the starboard side, in the eyes of her, and found a shotgun in two pieces with a cloth around them. Mr. Carlson handed them to me and told me take it on deck. We both went on deck, and I saw that they were not sealed. Mr. Leiper then came on deck from the cabin, and Mr. Carlson reported to him that he had found a shotgun and cartridges. Mr. Leiper said to the mate, "How about this, sir?" and remarked that it looked pretty bad. Then the captain turned to the mate and asked him where the gun was. He said that it was forward. Then the captain said, "Damn it, why did you not put it with the rest of them?" Mr. Leiper told the captain to keep her hove to, and we then left the schooner.

HENRY MORLEY, *Ordinary Seaman.*

[Telegram.]

NAVY DEPARTMENT,
Washington, D. C., July 31, 1894.

Commander CLARK, U. S. N.,
Care Steamer Willamette, Comac, Vancouver:

Make no changes of officers. A commander will join *Alert* upon her return to San Francisco.

HERBERT.

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 5, 1894.

SIR: With reference to my letter, No. 181, dated July 27, in which attention was called to the fact that no British cruiser had been at Unalaska this year, I have the honor to inform the Department that H. M. S. *Pheasant* arrived here at 10 p. m. on the 1st of August, that the schooner *Wanderer* was delivered to her commanding officer the next day, and that the latter vessel will sail for Victoria on or about the 6th instant.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The SECRETARY OF THE NAVY.

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 5, 1894.

SIR: I have the honor to inform the Department that Henry Paxton, master of the schooner *Wanderer*, seized by the *Concord* June 10, 1894, after having been furnished with provisions from this vessel (valued at $21.95), upon his representation that his own were exhausted, and that he could not procure any because his vessel had been seized, which statement was verified by Naval Cadet A. M. Proctor, who, at my order, visited the various trading companies, refused to sign the bills of exchange drawn against Simon Leiser, lessee, Victoria, British Columbia, although he had agreed to do so. He has, however, signed receipts for the provisions.

This action on the part of the master should dispose of any question as to the correctness of his assertion that he had no knowledge of the shotgun and ammunition that were found by the boarding officer of the *Concord.*

The *Wanderer* was delivered to the commanding officer of H. M. S. *Pheasant* August 2, and will sail for Victoria about August 6.

A copy of this letter has been forwarded to the United States consul at Victoria, British Columbia.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

The SECRETARY OF THE NAVY,
Washington, D. C.

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 5, 1894.

SIR: I have the honor to inclose herewith a copy of a letter from Commander Goodrich, of the *Concord*, calling attention to the valuable assistance rendered by Capt. F. M. Munger and the vessel under his command during the recent cruise of the *Concord* and *Corwin.*

I trust that the Department will forward this letter to the Treasury Department.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The SECRETARY OF THE NAVY.

[Inclosure.]

U. S. S. CONCORD,
Unalaska, August 1, 1894.

SIR: It is my duty as well as privilege to call to your attention the valuable assistance rendered me by Capt. F. M. Munger of the revenue cutter *Corwin* during the recent cruise in search of missing seamen from the wrecked whaler *Jane Allen.*

The ground traversed was uncharted and unknown, and in places full of dangers, yet the *Corwin* was always between the *Concord* and the beach, and was handled in a manner to elicit the admiration of all on board this ship.

Prompt, cool, bold, and prudent, I can not exaggerate Captain Munger's worth nor speak too highly of the ever ready and efficient condition of the vessel under his command.

Very respectfully,

C. F. GOODRICH,
Commander, United States Navy, Commanding.

The COMMANDER OF THE UNITED STATES NAVAL FORCE,
Bering Sea.

NAVY DEPARTMENT, BUREAU OF NAVIGATION,
Washington, D. C., August 6, 1894.

SIR: I have to transmit herewith, for your information, a copy of an order in council, Bering Sea award, containing the form of a special license to be issued to British vessels licensed to seal in Bering Sea during the periods of time and in the waters in which fur-seal fishing is not forbidden.

Very respectfully, F. A. COOK,
Acting Chief of Bureau.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea,
U. S. S. Mohican, care Navy Pay Office, San Francisco, Cal.

[Inclosure.]

WASHINGTON, *August 1, 1894.*

SIR: In accordance with instructions which I have received from the Earl of Kimberley, I have the honor to inclose herewith copy of an order in council, of the 27th ultimo, providing for the special form of license to be granted to sealing vessels in the Bering Sea, and describing the distinctive flag to be flown by them.

I have the honor to be, with the highest consideration, sir, your most obedient humble servant,

JULIAN PAUNCEFOTE.

[Inclosure.]

ORDER IN COUNCIL—BERING SEA AWARD (NO. 2), 1894.

WINDSOR, *June 26, 1894.*

At the court at Windsor, the 27th of June, 1894; present, the Queen's Most Excellent Majesty, Earl Spencer, Lord Chamberlain, and Lord Kensington.

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 5, 1894.

SIR: With reference to my letter, No. 181, dated July 27, in which attention was called to the fact that no British cruiser had been at Unalaska this year, I have the honor to inform the Department that H. M. S. *Pheasant* arrived here at 10 p. m. on the 1st of August, that the schooner *Wanderer* was delivered to her commanding officer the next day, and that the latter vessel will sail for Victoria on or about the 6th instant.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The SECRETARY OF THE NAVY.

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 5, 1894.

SIR: I have the honor to inform the Department that Henry Paxton, master of the schooner *Wanderer*, seized by the *Concord* June 10, 1894, after having been furnished with provisions from this vessel (valued at $21.95), upon his representation that his own were exhausted, and that he could not procure any because his vessel had been seized, which statement was verified by Naval Cadet A. M. Proctor, who, at my order, visited the various trading companies, refused to sign the bills of exchange drawn against Simon Leiser, lessee, Victoria, British Columbia, although he had agreed to do so. He has, however, signed receipts for the provisions.

This action on the part of the master should dispose of any question as to the correctness of his assertion that he had no knowledge of the shotgun and ammunition that were found by the boarding officer of the *Concord*.

The *Wanderer* was delivered to the commanding officer of H. M. S. *Pheasant* August 2, and will sail for Victoria about August 6.

A copy of this letter has been forwarded to the United States consul at Victoria, British Columbia.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

The SECRETARY OF THE NAVY,
Washington, D. C.

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 5, 1894.

SIR: I have the honor to inclose herewith a copy of a letter from Commander Goodrich, of the *Concord*, calling attention to the valuable assistance rendered by Capt. F. M. Munger and the vessel under his command during the recent cruise of the *Concord* and *Corwin.*

I trust that the Department will forward this letter to the Treasury Department.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The SECRETARY OF THE NAVY.

[Inclosure.]

U. S. S. CONCORD,
Unalaska, August 1, 1894.

SIR: It is my duty as well as privilege to call to your attention the valuable assistance rendered me by Capt. F. M. Munger of the revenue cutter *Corwin* during the recent cruise in search of missing seamen from the wrecked whaler *Jane Allen.*

The ground traversed was uncharted and unknown, and in places full of dangers, yet the *Corwin* was always between the *Concord* and the beach, and was handled in a manner to elicit the admiration of all on board this ship.

Prompt, cool, bold, and prudent, I can not exaggerate Captain Munger's worth nor speak too highly of the ever ready and efficient condition of the vessel under his command.

Very respectfully,

C. F. GOODRICH,
Commander, United States Navy, Commanding.

The COMMANDER OF THE UNITED STATES NAVAL FORCE,
Bering Sea.

NAVY DEPARTMENT, BUREAU OF NAVIGATION,
Washington, D. C., August 6, 1894.

SIR: I have to transmit herewith, for your information, a copy of an order in council, Bering Sea award, containing the form of a special license to be issued to British vessels licensed to seal in Bering Sea during the periods of time and in the waters in which fur-seal fishing is not forbidden.

Very respectfully,

F. A. COOK,
Acting Chief of Bureau.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea,
U. S. S. Mohican, care Navy Pay Office, San Francisco, Cal.

[Inclosure.]

WASHINGTON, *August 1, 1894.*

SIR: In accordance with instructions which I have received from the Earl of Kimberley, I have the honor to inclose herewith copy of an order in council, of the 27th ultimo, providing for the special form of license to be granted to sealing vessels in the Bering Sea, and describing the distinctive flag to be flown by them.

I have the honor to be, with the highest consideration, sir, your most obedient humble servant,

JULIAN PAUNCEFOTE.

[Inclosure.]

ORDER IN COUNCIL—BERING SEA AWARD (NO. 2), 1894.

WINDSOR, *June 26, 1894.*

At the court at Windsor, the 27th of June, 1894; present, the Queen's Most Excellent Majesty, Earl Spencer, Lord Chamberlain, and Lord Kensington.

Whereas by the Bering Sea award act, 1894, it is enacted that Her Majesty the Queen in council may make orders for carrying into effect the provisions of the Bering Sea arbitration award set out in the first schedule to that act, and therein referred to as the scheduled provisions;

And whereas by article 3 of the Bering Sea award order in council, 1894, Her Majesty ordered that until arrangements for giving further effect to articles 4 and 7 of the said scheduled provisions should have been made between Her Majesty and the Government of the United States, the provisions contained in that article should have effect;

And whereas arrangements have been made for giving further effect to the said articles, and for regulating during the present year the fishing for fur seals in accordance with the said scheduled provisions, and it is expedient that effect should be given to those arrangements by an order in council under the said act;

Now, therefore, Her Majesty, in virtue of the powers vested in her by the said recited act, and of all other powers enabling her in that behalf, is hereby pleased, by and with the advice of her privy council, to order, and it is hereby ordered, as follows:

(1) On the application of the owner of any British sailing vessel intended to be employed in fur-seal fishing under the provisions of the recited act, a secretary of state may, if satisfactory evidence, as required by the said article 7, has been given by such owner of the fitness of the men to be employed by him on the said vessel in the said fishing, grant a special license in the form of the schedule hereto, authorizing that vessel for the present year to fish for fur seals during the period in the manner and in the waters in which fur-seal fishing is allowed by the recited act; and the said special license, when so granted, shall be carried on board the said vessel at all times while so employed.

(2) Every British sailing vessel provided with a special license under this order or the recited order, or which, under the recited order, is deemed to have been so provided, shall show under her national colors a flag, not less than 4 feet square, of two triangular pieces, yellow and black, joined from the right-hand upper corner of the fly to the left-hand lower corner of the luff, the part above and to the left to be black, and the part to the right and below to be yellow.

(3) If, in the case of any vessel, there is any contravention of these regulations, the secretary of state, whether any penalty has been recovered under the recited act or not, may revoke the special license.

(4) Article 3 of the recited order is hereby repealed, without prejudice, however, to any authorization given thereunder.

(5) This order may be cited as "The Bering Sea award order in council (No. 2), 1894," and the recited order and this order may together be cited as "The Bering Sea award orders in council, 1894."

And the right honorable the Earl of Kimberley, K. G., and the most honorable the Marquess of Ripon, K. G., two of Her Majesty's principal secretaries of state, and the lords of the admiralty, are to give the necessary directions herein as to them respectively appertain.

C. L. PEAL.

[Inclosure.]

[Extract from the London Gazette of Friday, June 29, 1894.]

Schedule—Form of special license—"The Bering Sea award act, 1894"—"The Bering Sea award orders in council, 1894."

SPECIAL LICENSE.

Whereas the British sailing vessel ——— is intended to be employed during the present year in fishing for fur seals under the provisions of the Bering Sea award act, 1894,

And whereas A. B., the owner (or A. B. and others, owners) of the said vessel, have given satisfactory evidence of the fitness of the men who are to be employed on board the said vessel in the said fishing;

Now, therefore, in pursuance of the above-mentioned act and orders in council, I hereby authorize the said vessel for the present year to be employed in the fur-seal fishing during the period of time in the manner and in the waters in which fur-seal fishing is allowed by the above-mentioned act.

This special license is subject to revocation in case of any contravention of the above-mentioned act or orders in council.

Given under my hand this —— day of ———, one thousand eight hundred and ninety-four.

(Signed) ——— ———,
Secretary of State.

NAVY DEPARTMENT,
Washington, August 9, 1894.

SIR: Referring to this Department's letter of the 11th instant, transmitting copies of correspondence in regard to the survivors of the American whaler *James Allen*, I have the honor to transmit herewith a letter from the commanding officer of the United States naval force in Bering Sea in regard to his efforts to find those of the crew who are still missing.

Very respectfully, W. MCADOO,
Acting Secretary of the Navy.

The SECRETARY OF THE TREASURY.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, July 11, 1894.

SIR: Referring to the orders given to the commanding officer of the U. S. S. *Concord*, dated July 11, a copy being forwarded by this mail, I have the honor to report that, in my opinion, the missing boat belonging to the wrecked whaler *James Allen* has either been lost at sea or picked up by a whaler on her way to the Arctic.

The circumstances attending the loss of the *James Allen* were reported to the Department by the commanding officer of the *Petrel* before my arrival at Unalaska, and the report of the commanding officer of the *Albatross*, forwarded by the steamer *Lakme*, contained all the information that had been obtained from the master of the vessel after his arrival at Unalaska.

I am informed that the commanding officer of the *Bear*, now acting under the orders of the Treasury Department, found the survivors of the party left on Umnak Island, and he undoubtedly forwarded a full report concerning their condition, the evidences of cannibalism, etc.

As it is possible that the missing boat's crew might be on one of the uninhabited islands, and in a deplorable plight, I gave the commanding officer of the *Concord*, which vessel sailed the day after my arrival here, orders to approach, as near as was consistent with safety, any of the shores not coasted by the *Petrel* and *Albatross*. He returned last night and reported having carried out my instructions as far as the weather and dangers to navigation would admit, and it appears that the examination of the shores visited was most effective, as will be seen by his report forwarded by this mail.

In order that any doubts still existing may be cleared away, I have given him instructions to cruise, with the *Corwin* in company, along the line of the passes where sealers may be intercepted and at the same time examine any of the shores as of yet unvisited.

Commander Goodrich will, I am sure, take every reasonable precaution while cruising on this duty, and as the vessels will keep within signal distance, the risks incurred will be reduced to a minimum.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

The SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.

[Telegram.]

NAVY DEPARTMENT,
Washington, D. C., August 9, 1894.

Commander C. E. CLARK, U. S. N.,
Commanding Bering Sea Fleet (care Navy Pay Office),
San Francisco, Cal.

The Department is in receipt of your circular to commanding officers No. 20, bearing date July 12, 1894, and entirely disapproves of the same and orders its cancellation. Under the law you have no power to interfere with the civil administration nor to order the arrest of any citizens. Your attention is called to section 1957, Revised Statutes of the United States, under which it is distinctly stated that the only persons who have power to enforce law in Alaska with regard to the sale of liquor or other matters are the collectors and deputy collectors, and any persons authorized in writing by either of them or by the Secretary of the Treasury. See to it promptly that no action is taken under circular No. 20.

W. MCADOO,
Acting Secretary of the Navy.

Same to Commander C. E. Clark, U. S. N., commanding Bering Sea fleet, Branch Hydrographic Office, Port Townsend, Wash.

NAVY DEPARTMENT,
BUREAU OF NAVIGATION,
Washington, D. C., August 9, 1894.

SIR: I have to confirm the following telegram sent to you this date by the Department:

> The Department is in receipt of your circular to commanding officers No. 20, bearing date July 12, 1894, and entirely disapproves of the same and orders its cancellation. Under the law you have no power to interfere with the civil administration nor to order the arrest of any citizens. Your attention is called to section 1957, Revised Statutes of the United States, under which it is distinctly stated that the only persons who have power to enforce law in Alaska with regard to the sale of liquor or other matters are the collectors and deputy collectors, and any persons authorized in writing by either of them or by the Secretary of the Treasury. See to it promptly that no action is taken under circular No. 20.
>
> W. MCADOO,
> *Acting Secretary of the Navy.*

This telegram was sent to both San Francisco and Port Townsend, to be forwarded to you by the earliest conveyance.

Very respectfully,

F. A. COOK,
Acting Chief of Bureau.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea,
U. S. S. Mohican (care Navy Pay Office), San Francisco, Cal.

NAVY DEPARTMENT,
Washington, D. C., August 10, 1894.

SIR: Replying to your letter, No. 169, of the 11th ultimo, I have to inform you that your confidential circular letter, No. 19, dated July 10, 1894, to commanding officers, is approved by the Department.

Your circular letter, dated July 12, 1894 (No. 20), to commanding officers, is disapproved. The Department's telegram of the 9th instant directed its immediate revocation.

Very respectfully,

W. MCADOO,
Acting Secretary of the Navy.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea,
(care Navy Pay Office), San Francisco, Cal.

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 11, 1894.

SIR: I have the honor to inform the Department by the steamer *Bertha*, which arrived here this morning and sails direct for San Francisco, that this vessel will leave at 10 a. m. to-day for a cruise off the passes and in the vicinity of those islands that might be approached by vessels near enough to be seized for sealing within the 12-mile limit. If it seems advisable to continue the cruise more than six days, will call here within that time to see if the *Lakme* or *Willamette* have arrived with instructions.

The *Concord*, *Adams*, *Petrel*, and *Alert* are patrolling the 60-mile zone around the Pribilof Islands and guarding the rookeries. The *Yorktown* is cruising to the northeastward of the Pribilof Islands and the *Albatross* to the northwestward of them. The *Ranger* is on the way back from Sitka, and the *Corwin*, which was ordered to Attu, must now be returning by way of the Pribilofs.

Copies of recent orders issued to ships and reports received from commanding officers are herewith inclosed.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

The SECRETARY OF THE NAVY.

[Inclosure.]

U. S. S. RANGER (THIRD RATE),
Sitka, Alaska, July 25, 1894.

SIR: I have the honor to make the following report of the operations of the vessel under my command from July 18, 1894, to date:

In obedience to your instructions, left Dutch Harbor, Alaska, at 7.58 p. m., July 18. At 9.05 p. m. Priest Rock bore abeam; at the same time dense fog settled down, shutting out the pass and land; stood down for Unalga Pass, steaming through it, making Unalga Island close aboard, and at 11 p. m. Egg Island bore abeam. At 11.30 shaped course E. ½ S. for the night; weather overcast, foggy, and wet. At 3.50 a. m., July 19, changed course to ENE., at 5.15 p. m. to NE. by E. ¾ E., and at 8.02 p. m. to NE. by E. ½ E.; weather overcast, cloudy, foggy, and misty. At 4.27 a. m., July 20, changed course to NE. by E. At 5.15 a. m. sighted a sail on port beam; headed for it, steering N. by W. ¾ W. At 7.08 stopped engines and sent an officer on board the British schooner *Saucy Lass*, of Victoria, British Columbia. At 8.20 a. m. the boarding officer returned on board, having given her the usual orders regarding sealing in Bering Sea. She had cleared from Victoria, British Columbia, for Unalaska, with sealing license. All of her sealing implements were under seal. No firearms were found on board. At 8 a. m. sighted the highland of the Shumagin Islands. At 8.52 a. m. went ahead on course southeast. At 11.55 changed to NE. by E. Fog lifted at 3 a. m. and continued clear until 1 p. m., when weather became overcast, cloudy, drizzling, and misty. At 2.03 p. m. changed course to NE. ¾ E.; weather continued the same until 7 p. m., when fog set in and continued during the night. At 10 p. m. changed course to NE. ½ E., continuing on this course until 5.30 p. m., July 21, when changed to NE. by E. ¼ E., and at 8 p. m. to NE. by E. ½ E.; weather continuing overcast, cloudy, foggy, and misty during the night. At 5.20 a. m., July 22, changed course to NE. ½ E. At 7 a. m. overcast and cloudy, fog disappearing, and continued so until 2 p. m., when it was overcast, cloudy, and drizzling; fog again setting in at 6 p. m. and continuing until 11 p. m., when it became misty, remaining so until 4 a. m. of the 23d, when it was overcast and cloudy. At 1 p. m., July 23, changed course to NE. ¼ E.; continued on that course until 8 a. m., July 24, when changed to NE.; weather overcast and cloudy. At 2.45 p. m. changed course to NE. ½ N. for Sitka entrance, anchoring in Sitka Harbor at 9.10 p. m., July 24. Exchanged distinguishing lights with the U. S. S. *Pinta* before anchoring. Found H. B. M. S. *Pheasant* in port.

Very respectfully,

E. LONGNECKER,
Commander, United States Navy, Commanding.

The COMMANDING OFFICER UNITED STATES NAVAL FORCE,
Bering Sea.

[Inclosure.]

REVENUE MARINE STEAMER CORWIN,
Port of Bay of Waterfalls, Adakh Island, July 26, 1894.

DEAR CAPTAIN: On behalf of myself and command I desire to thank you, your officers, and your crew for their efficient and earnest search for the lost member of my crew; for their three days of hardship and fatigue, which caused aching bones and sore limbs, and for the cheerful manner in which they took up the struggle after each day's disappointment. After long hours of anxiety and terrible tramping they hailed the signal that the lost had been found with a cheer that could come only from hearts full of human love. Such endurance for another's safety but accents the record of disinterested service already well earned by the many, many humane acts of the United States Navy. Your help and kind advice will long be cherished.

May God bless each and all of your command, and guide the U. S. S. *Concord* always to a safe harbor.

Sincerely, yours,

FRED. M. MUNGER,
Captain, United States Revenue Cutter Service.

Commander C. F. GOODRICH, U. S. N.,
Commanding U. S. S. Concord.

[Inclosure.]

U. S. S. CONCORD,
Unalaska, July 30, 1894.

SIR: I have the honor to submit the following report of the joint operations of this vessel and the United States revenue cutter *Corwin* in obedience to your order of July 11, 1894:

The *Concord* and *Corwin* left Unalaska on the evening of July 13 (as soon as the coaling of the former was completed), and met in a dense fog the following morning at a rendezvous in latitude 53° 30′ north, longitude 168° 30′ west, off the north shore of Umnak Island.

The fog clearing toward noon, both vessels left the kedges by which they had riding, and the search for the missing seamen of the wrecked whaler *Jane Allen* was resumed at the place where, on July 5, they had been forced by the fog to abandon it.

With the launch skirting the beach, the *Corwin* following close in, and the *Concord* just outside the *Corwin* (the ship's whistle being frequently sounded), the search was thoroughly and prudently conducted, although unquestionably hazardous.

Anchored for the night of July 14 off the small settlement of Nikolski, where fruitless inquiries were made as to the missing men.

Made a false start on the morning of the 15th. The fog shutting in thick and the vessels being in an extremely rocky neighborhood, they returned to Nikolski and waited until the afternoon, when a second effort proved more successful. Searched to westward of Nikolski and anchored for the night under the lee of the north shore of Umnak, close to its western extremity. At this point thick and stormy weather detained us for twenty-two hours.

On the afternoon of the 16th, the weather clearing a bit, the ships examined the shores of Adugakh and Samalga islands, and then crossed over to the group known as the Islands of the Four Mountains, anchoring for the night in a small cove at the southeastern point of the large island "Tchuginadakh," called by seamen "Sugar and Hard Tack."

The next morning, July 17, a thorough and systematic search was made by the steam launch, in the manner already described, along every foot of the shore of "Sugar and Hard Tack," while either the *Corwin* or *Concord* or both carefully examined the less accessible coasts of the other islands. The weather was exceptionally propitious this day, enabling me to complete the work much more rapidly than had been anticipated. As an instance of the extreme caution necessary in navigating these waters, I may say that two large uncharted islands exist in this group, to which I assigned the names of Herbert and Carlisle, the chiefs of the Government Departments represented by the vessels that took part in the search.

Passed on during the night to Yunaska Island, anchoring at 8 a. m., July 18.

The steam launch was sent to search the northern shore of this very unapproachable island. She returned with the report that the whole coast is a beetling cliff except in a few places and that no traces of the lost could be discovered.

On July 19 the *Corwin* passed to the eastward and the *Concord* to the westward, around Yunaska, covering ground which the wind and sea of the preceding day had prevented the steam launch from reaching. The two ships met off the southern shore and proceeded in a dense fog to the Bay of Waterfalls, where it was proposed to replenish the *Corwin's* bunkers before she started on her trip to Attu.

I may close the history of the search by assuring you beyond peradventure that the missing seamen from the *James Allen* are not alive, nor are any traces of them to be found on the north shore of the island of Umnak, or any part of Adugakh, Samalga, the islands of the Four Mountains, or Yunaska. In my opinion they are either drowned or they were rescued long ago by a passing vessel. It is inconceivable that they are ashore and undiscovered at any place within the limits of your command which they could have reached.

The *Concord* and *Corwin* reached the Bay of Waterfalls on the evening of Friday, July 20, and here occurred an episode which might have easily have had a tragic ending. A seaman from the *Corwin*, who had gone ashore to shoot on Sunday, the 22d, was missing at nightfall in a country full of precipices, lakes, concealed and semisubterranean streams, deep holes, high grass, and constant thick fog. The *Corwin* sent out in search practically her whole ship's company supplemented by a gun division from the *Concord* on Monday. But that night the man was still adrift on shore.

On Tuesday and Wednesday a party numbering from 120 to 140 men (all available from the two ships), under general charge of Lieut. G. A. Merriam, inaugurated and carried on a systematic search, which was only terminated by the happy turning up of the lost mariner after three days and nights of exposure, fatigue, and hunger in a territory whose features for grimness and peril can not be exaggerated.

Great credit is due Lieutenant Merriam for his judgment and energy in planning and executing the examination in which he was loyally and intelligently supported by his subordinates, Lieut. E. F. Leiper, Ensign M. Johnson, Ensign L. H. Everhart, and Naval Cadet C. Wells of this vessel, and Lieutenant Carmine, Lieutenant Daniels, and Ensign Zastrow from the *Corwin*.

The duty devolving upon the enlisted men was novel and extremely arduous and full of danger, yet they covered many square miles of ground with a scrutiny which nothing could have escaped, especially a man presumably injured and helpless. Their zeal, good conduct, and fortitude mark but another page in our naval history of hard duty faithfully done. Their behavior on this occasion was surprisingly admirable, notwithstanding the fact that a better disposed or more contented crew can not be found.

Owing to this affair it was not until Thursday, July 26, that the coaling of the *Corwin* could commence. It was finished in the evening of the 27th and both ships left the Bay of Waterfalls on the morning of July 28, the *Corwin* for Attu, the *Concord* for Unalaska.

During an absence from Unalaska of sixteen days I can count but three reasonably free from fog and none wholly so.

I have the honor to inclose a copy of Captain Munger's letter to me relative to the joint search for the *Corwin's* seaman, and to report my arrival here at 11 p. m. yesterday.

It will take rather more than a day to fill the bunkers with coal.

Very respectfully,

C. F. GOODRICH,
Commander, United States Navy, Commanding.

The COMMANDER OF THE U. S. NAVAL FORCE,
Bering Sea.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 3, 1894.

SIR: If the *Mohican* has not returned when the *Yorktown* is ready for sea, wait twenty-four hours, and then sail, weather permitting, for the Pribilof Islands where you will relieve Commander Goodrich as senior officer, delivering the inclosed orders to him, and carrying out yourself the instructions contained in Circulars to Commanding Officers Nos. 9 and 21.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

COMMANDING OFFICER, U. S. S. YORKTOWN.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 3, 1894.

SIR: When the *Yorktown* arrives, and you have been relieved as senior officer by Commander Folger, please cruise in the "northwestern quadrant," within a radius of 225 miles, covering as much of the ground as possible. At the end of six days, or before that time if getting short of coal, return to Unalaska.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

COMMANDING OFFICER U. S. S. CONCORD.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE,)
Dutch Harbor, Alaska, August 3, 1894.

SIR: When prepared for sea sail, weather permitting, for the Pribilof Islands and report to the senior officer present for guard and patrol duty as provided for in Circulars to Commanding Officers Nos. 9 and 21.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

COMMANDING OFFICER, U. S. REVENUE CUTTER CORWIN.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 5, 1894.

SIR: As soon as the *Ranger* is ready for sea proceed to the Pribilof Islands and report to the senior officer present for guard and patrol duty as prescribed for in Circulars to Commanding Officers Nos. 9 and 21.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER, U. S. S. RANGER.

[Inclosure.]

REVENUE MARINE STEAMER CORWIN,
Port of Dutch Harbor, Unalaska, August 11, 189[4].

SIR: I have the honor to report that I received on board the second mate and three men belonging to the British schooner *Triumph*, and left Dutch Harbor at 8 a. m., July 12, to go in search of that vessel; steamed through Unalga Pass, and to the westward, to the point on Biorka Island recognized by the second mate and crew as the place where they had left the schooner at anchor. She was not at anchor within 10 miles of that point, and there were no signs that she had gone on shore; turned and steamed along shore to the eastward, and returned to Dutch Harbor at 8.45 a. m., July 13. It was evident and the second mate was satisfied that she had slipped her anchors and gone to sea.

By your order of the 13th instant I reported to Commander C. F. Goodrich, U. S. N., commanding U. S. S. *Concord*, for duty, and by his order left the harbor at 5.30 p. m., same date, and cruised to the westward in search of the lost seamen of the whaling bark *James Allen*. July 14, at 7.15 a. m., met the U. S. S. *Concord* off the north end of Unnak Island, and worked along the northwest shore. July 15, 16, 17, 18, 19, and 20, cruising in the company of U. S. S. *Concord* to the westward about the islands in search of the missing seamen; 6.20 p. m., July 20, came to anchor in Bay of Waterfalls, Adak Island. July 21 filled tanks and boiler with fresh water. July 22, 23, 24, and 25, searching for seaman lost from hunting party from this vessel July 22. July 26 and 27, coaling from U. S. S. *Concord*, coal to be returned in kind at

Unalaska. July 28, 6.15 a. m., under way and steamed through Adak Straits and to the westward, north of the islands. July 29 and 30, cruising to the westward. Meridian, July 30, boarded sealing schooner *Theresa;* had been licensed by Lieutenant Jacobs at Attu for seal hunting in Bering Sea: 6.25 p. m., same date, anchored in Chichagof Harbor, Attu Island. July 31, detailed Third Lieut. G. C. Carmine, United States Revenue-Cutter Service, to relieve Lieut. W. E. V. Jacobs as customs officer at Attu. August 1, at Attu. August 2, 9 a. m., under way, steamed out of harbor, and to the northeast. August 3, 4, and 5, cruising to northeast; 4 a. m., 5th instant, boarded British sealing schooner *Katherine*, licensed at Victoria; left all firearms there; she had taken 96 skins in three days; 4.50 p. m., same date, anchored in Village Cove, St. Paul Island. August 6, steamed round to East Landing and reported to Commander Goodrich, who directed me to proceed to Northeast Point. Anchored off the rookery at 6 p. m. August 7, received orders to return to Unalaska for coal. Under way at 9.55 a. m. Stopped off East Landing to communicate with United States Revenue Cutter *Rush*, and anchored in Dutch Harbor at 8 p. m., August 8. Coaled ship August 9. Cleaning boiler 9th and 10th.

There had been at Attu, up to the time of my departure, nine vessels licensed for seal hunting in Bering Sea, and they are all now to the north and west of the islands.

The *Katherine* was 104 miles southwest by west from St. Paul working north. I observed no seals to the eastward of her until within 20 miles of the islands.

All sealers boarded at Attu report that they shall hunt from 90 to 100 miles to the northward and westward of the islands, and do not expect to find any seals nearer than 90 miles from the islands.

Very respectfully,

FRED. M. MUNGER,
Captain, United States Revenue-Cutter Service.

Commander C. E. CLARK,
Commanding United States Naval Forces in Bering Sea.

[Inclosure.]

U. S. S. ADAMS (THIRD RATE),
Unalaska, Alaska, August 11, 1894.

SIR: I respectfully submit the following report of the cruise of this vessel from July 20 to date:

Leaving Unalaska at 3 p. m., July 20, arrived off north anchorage of St. George Island at 4 p. m., July 21.

At 1.05 p. m., on 23d, left anchorage on north side of St. George on account of threatening weather; stood toward Tolstoi Point, and finding the wind increasing here steamed slowly back to anchorage. Remained at anchor until about 3.10 a. m., July 29, when we got under way for St. Paul, taking Mr. Townsend, naturalist, with us, he having finished his duties at St. George.

Arrived at St. Paul at 1 p. m., and found U. S. S. *Yorktown* at anchor there. Left St. Paul at 4.20 p. m. and arrived at anchorage off St. George at 8.15 p. m. Upon the arrival of the *Alert*, about 10 a. m., August 2, made preparation to go to St. Paul. Left the anchorage at St. George at 1 p. m., and the vessel grounded at 5.22 p. m. inside Rocky Point on St. Paul Island. The vessel was floated at 7.55 p. m. August 3. Occupied until August 6 with board of investigation that convened on board, and examination of bottom. Very thick weather prevented our leaving port until 5.45 a. m., August 7. The ship then stood off to begin circling the islands as per instructions.

About 3 p. m., August 8, in latitude 58° 25′, longitude 170° 10′ west, overhauled and boarded British sealing cruiser *Kate*, of Victoria, British Columbia. She was properly licensed, and gave no evidence of having been engaged in illicit sealing. She had on board 43 skins, 40 of which were females. She cleared from Victoria June 27, without firearms, nets, or ammunition, except for signal guns. At 3.50 stood on course again. At 3 a. m., August 10, stood in the anchorage off St. George. At 8 a. m., August 10, the weather setting in very thick and coal supply getting low, it was deemed advisable to head directly for Unalaska.

From August 7 to August 10, inclusive, an occasional single seal was sighted, heading in directions radiating from the islands.

Very respectfully,

J. J. BRICE,
Commander, U. S. N., Commanding.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Forces, Bering Sea.

No. 192.] U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 11, 1894.

SIR: I have the honor to inform the Department that the steamer *Lakme* has just arrived from San Francisco, and that the steamer *Bertha* sails from Iliuliuk for San Francisco to-day. On account of the little time that is available, I will go through the official mail as rapidly as possible and give the Department as much information as I can about instructions received and the action that will be taken in consequence.

Department's cipher telegram dated July 24, 1894, received. The *Corwin* will sail as soon as she can get up steam to the Pribilof Islands, with orders to the *Concord* and *Petrel* to return at once, and as the *Yorktown* will probably arrive at about the same time, the transfers of officers, men, ammunition, etc., ordered can be effected.

The last time the *Petrel* was in port repairs on her boilers and engines were made in the expectation that the troubles in Korea might bring such orders, and both vessels are now in good seagoing condition. Orders will also be sent by the *Corwin* to Commander Goodrich that if the *Alert* is fallen in with the exchanges of officers and men ordered can be effected.

Department's letter (E. C.) June 29, 1894, received, and instructions contained therein will be carried out immediately, H. M. S. *Pheasant* being here.

Department's confidential instructions, dated July 7, 1894 (F), received, and the orders relating to the return of the ships to Mare Island will be complied with.

Letter from the Chief of the Bureau of Equipment (3848), dated June 26, 1894, received, and the instructions relating to the use of the coal at Sitka will be followed, when they will not interfere with the Department's orders regarding the movements of ships.

The *Adams* has just arrived, and Lieutenant Norton (Commander Brice being on the sick list) reports that the splintered pieces of the portions of the false keel remaining have been removed, that the leak in the bread room has not increased, that one piece of the outside planking two or three strakes up from the garboards has been injured, that the helm is now carried aport two spokes, and that the speed is diminished a little. Report from the commanding officer, just received, is herewith inclosed.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.

No. 199.]
U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 13, 1894.

SIR: I have the honor to acknowledge the receipt of the Bureau's letter dated July 6, 1894, transmitting a copy of a letter from the United States consul at Victoria, British Columbia, reporting the names of the sealing schooners that have already cleared for Bering Sea, with crews made up of white men and Indians.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The SECRETARY OF THE NAVY.

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 13, 1894.

SIR: I have the honor to acknowledge the receipt of the Bureau's letter dated June 26, 1894, informing me that the U. S. S. *Marion*, and probably the U. S. S. *Bennington*, will not be available for duty in Bering Sea during the present season.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The SECRETARY OF THE NAVY.

No. 197.]
U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 13, 1894.

SIR: I have the honor to acknowledge the receipt of the Department's letter dated June 29, 1894, transmitting a copy of a letter addressed to the Assistant Secretary of State by the United States consul at Victoria, British Columbia.

In accordance with the orders of the Department, I have communicated with the senior British naval officer in Bering Sea, and informed him that my orders are to seize all vessels found to have violated the provisions of the award, whether they have been previously warned or not.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The SECRETARY OF THE NAVY.

No. 204.] U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, *Alaska*, *August 18*, *1894*.

SIR: I have the honor to report that upon the receipt of the Department's telegram dated July 24, 1894, ordering the *Concord* and *Petrel* to the Asiatic station, I sent the *Corwin* in search of the rest of the fleet, and, as soon as all had been ordered in, to assume the duty of guarding the Pribilof Islands.

It was necessary to assemble the fleet here to make the transfers of officers, men, ammunition, and stores ordered by the Department, and the ships could safely leave their station, as the sealers had no means of obtaining information regarding their movements in time to take advantage of it. The *Corwin* remained at the Pribilofs, and the work of transferring was so arranged that the first of the vessels arriving sailed a few hours after the last entered port. As a matter of fact, the sealers generally keep well outside the sixty-mile limit. Not being able to ascertain their position, they are fearful of getting across it and of being seized. If any of them carry chronometers, the sun and the horizon are generally obscured by fog, preventing observations.

The *Concord* arrived at 3 p. m. the 16th and the *Petrel* the morning of the 14th. Either of these vessels could have coaled and left on the second day after arriving, but their commanding officers reported to me that if two or three additional days could be allowed for repairs, the time could be more than made up during the run to Yokohama. The *Petrel* will sail on the 18th and the *Concord* on the 21st.

The *Ranger* arrived on the 15th and will sail to-day for the island of Attu, for the purpose of taking on board Lieutenant Carmine, United States Revenue Marine, left there in accordance with the Department's instructions dated May 8, 1894.

The *Yorktown* arrived on the 13th and will sail at 10 a. m. to-day for Sitka, convoying the *Adams*. Will return to Unalaska immediately.

The *Adams* arrived on the 11th; sails at 10 a. m. to-day for Sitka, convoyed by the *Yorktown*. Will take inside passage, behind Queen Charlotte and Vancouver islands, for New Whatcom, Wash. Reports of boards of survey and all other papers concerning the grounding of that vessel and her condition are sent in this mail, which goes from Sitka by the *Adams* or mail steamer, according to date of probable arrival in Puget Sound.

The *Alert* arrived at 4 p. m. the 14th, and sailed at 9 a. m. the 17th, for a cruise in the vicinity of the Pribilof Islands, where she will perform guard and patrol duty until compelled to return to Unalaska for coal.

The *Albatross* arrived at 3 p. m. the 11th, but was detained to complete repairs until the 17th instant, and because her commanding officer and chief engineer were members of the board appointed to determine the amount of injury done to *Adams* when she ran aground on the Island of St. Paul. The *Albatross* sailed at 10 a. m. the 17th for a cruise to the westward of the prohibited zone and along the sixty mile limit.

The *Corwin* will guard the Pribilof Islands until further orders.

This vessel will go out for a short cruise when the other vessels of the fleet have sailed.

Very respectfully,
C. E. CLARK,
Commander, *United States Navy*,
Commanding United States Naval Force in Bering Sea.

The SECRETARY OF THE NAVY,
Navy Department, *Washington*, *D. C.*

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 20, 1894.

SIR: I have the honor to inform the Department by the steamer *Dora*, for Sitka, that, as expected, when my report of movements of vessels, dated August 18, and sent by the *Yorktown*, was written, the *Ranger* sailed that evening for the island of Attu, and the *Petrel* in the afternoon for Yokohama.

The *Concord* will undoubtedly sail, as reported, on the 21st, if not detained by the very heavy gale now blowing.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

No. 208.]
U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 20, 1894.

SIR: I have the honor to inform the Department that Assistant Paymaster P. V. Mohun reached Unalaska in time to relieve Passed Assistant Paymaster R. M. T. Ball on board the *Petrel*, and completed the transfers on the day that she sailed for the Asiatic station, through the very courteous and timely act of Lieutenant and Commander F. H. Blair, Royal Navy, commanding H. M. S. *Pheasant*, who carried him as a passenger from Sitka, a distance of 1,200 miles, and at what must have been at a sacrifice of comfort, as his cabin quarters are far from being spacious.

As stated in my letter dated May 28, Lieutenant and Commander Blair, at our first meeting, gave me to understand that he should, under the orders of Rear-Admiral H. F. Stephenson, commanding Her Brittanic Majesty's forces on Pacific station, be always ready to proceed to any point where, in my opinion, he could be of service, and he has often insisted that I should consider his vessel as one of the fleet, ready to sail upon any duty it was proper that he should perform.

I have this day written to Admiral Stephenson thanking him for the service so opportunely rendered in bringing one of our officers from Sitka, and stating that I should take great pleasure in representing the facts to the Navy Department.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.

[Telegram.]

MOHICAN, DUTCH HARBOR, ALASKA, *August 20, 1894.*
(Port Townsend, Wash.)

SECRETARY OF NAVY,
Washington, D. C.

Petrel sailed Yokohama August 18. *Concord* ready August 21.

CLARK.

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 20, 1894.

SIR: I have the honor to inclose herewith reports received and copies of orders issued.

With reference to the orders of Lieut. W. A. Gill to the *Concord* from the *Yorktown*, and of Lieut. Edward F. Leiper to the *Yorktown* from the *Concord*, Lieutenant Leiper is the officer who boarded the British schooner *Wanderer*, upon whose report Commander Goodrich ordered her seizure. The two men who searched the schooner and discovered the shotgun and ammunition not under seal are among those transferred from the *Concord* to the *Yorktown* under the Department's order of July 9, but the fact that their statements differ materially from that of Lieutenant Leiper as to the confession of knowledge on the part of the master of the *Wanderer* that the shotgun and ammunition were not under seal, has already been referred to by the British naval officer to whom the *Wanderer* was transferred, shows that Lieutenant Leiper's testimony will be all important if the case is to be tried. At least it seems advisable to provide against any advantage being taken by the owners' counsel of his absence. The dates of the orders of these two officers to sea duty do not differ more than two weeks.

Passed Assistant Engineer James M. Pickrell was detached from the *Yorktown* and ordered to the *Ranger*, as the transfer of Passed Assistant Engineer George D. Strickland to the hospital left the latter vessel without an engineer.

The orders of the officers on board the *Alert* were necessitated in order to insure against the risk of still greater changes. With two commanding officers already broken down, I felt that it was imprudent to compel Lieutenant Coffin to further perform the duties of executive officer. Almost constantly cruising in fogs or gales, with lights often screened and signals sounded only at times, frequently in the vicinity of precipitous shores, rising from depths that give no soundings, and past which currents sweep with such force that boats if lowered might be swamped in whirlpool or over falls, the commanding officers have sometimes remained on deck for forty-eight hours or more, and for longer periods have not removed their storm clothes.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 11, 1894.

SIR: Upon receipt of these orders sail immediately for Unalaska Please anticipate as far as possible the preparation of papers in order that transfers to be made in accordance with instructions contained in the Department's letter, inclosed, will be effected immediately after arrival here.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER, U. S. S. PETREL.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 11, 1894.

SIR: Upon the receipt of these orders sail immediately for Unalaska. Please anticipate as far as possible the preparation of papers in order that transfers to be made in accordance with instructions contained in the Department's letter, inclosed, will be effected immediately after arrival here.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER, U. S. S. ALERT.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 11, 1894.

SIR: Please proceed immediately to the Pribilof Islands and deliver the inclosed orders to the commanding officers of the *Concord*, *Petrel*, and *Alert*.

When you have communicated with all of them, assume the duty of guarding the islands in conformity with Circular to Commanding Officers, No. 9.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER, U. S. REVENUE CUTTER CORWIN.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 11, 1894.

SIR: Upon receipt of these orders please turn over the duty of guarding the Pribilof Islands to the *Corwin* and sail for Unalaska immediately. Similar orders have been sent direct to the *Petrel* and *Alert*, in order that there may be no delays. Please anticipate as far as possible the preparation of papers in order that the transfers to be made in accordance with instructions contained in Department's letter, inclosed, will be effected immediately after arrival here.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER, U. S. S. CONCORD.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 13, 1894.

SIR: Commander J. J. Brice, U. S. N., having been condemned by a medical board of survey, you will take command of the U. S. S. *Adams*. This duty will be in addition to your duties as executive officer.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

Lieut. C. F. NORTON, U. S. N.,
U. S. S. Adams.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 15, 1894.

SIR: You are hereby ordered to perform the duties of the navigator until the *Alert* enters San Francisco Bay, when you will resume those of a watch and division officer. You will continue to perform the duties of the ordnance officer.

Very respectfully,

C. E CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

Lieut. C. F. POND, U. S. N.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 15, 1894.

SIR: You are hereby ordered to turn over the duties of executive officer to Lieut. Asher C. Baker, U. S. N., and you will resume them as soon as the ship enters San Francisco Bay.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

Lieut. J. H. C. COFFIN, U. S. N.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 15, 1894.

SIR. You are hereby ordered to turn over the duties of the navigator to Lieut. C. F. Pond, and to perform those of the executive officer until the ship enters San Francisco Bay, when you will resume your duties as navigator.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

Lieut. ASHER C. BAKER, U. S. N.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 16, 1894.

SIR: You are hereby detached from the U. S. S. *Yorktown*, and will report immediately to the commanding officer of the U. S. S. *Concord* for duty on that vessel.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

Lieut. WILLIAM A. GILL, U. S. N.,
U. S. S. Yorktown.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 16, 1894.

SIR: When ready for sea, cruise in the southwestern quadrant and along the 60-mile limit until obliged to return to Unalaska for coal.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER, U. S. S. ALBATROSS.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 17, 1894.

SIR: You are hereby ordered to proceed to Sitka with the vessel under your command and the U. S. S. *Adams*. When you have convoyed the latter vessel to that port, please coal immediately and return with dispatch to Unalaska.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

COMMANDING OFFICER, U. S. S. YORKTOWN.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 16, 1894.

SIR: When the *Alert* is ready for sea please proceed to the island of St. George, and after a stay of twenty-four hours cruise for two or three days in the eastern part of the 60-mile zone and in the northeastern quadrant, within 80 miles of the 60-mile limit.

On your way back to St. George run in near enough to St. Paul to signal the vessel at that station.

Remain at St. George until another vessel arrives or exchanges numbers with you, and then cruise as before, but keeping within 40 miles of the 60-mile limit. Return to St. George as before, via St. Paul.

Sail for Unalaska when the amount of coal on board will not warrant you remaining out any longer.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

COMMANDING OFFICER, U. S. S. ALERT.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 17, 1894.

SIR: You are hereby directed to report to the commanding officer of the U. S. S. *Yorktown*, who has been ordered to convoy the *Adams* to Sitka.

Upon arriving at Sitka you will coal and proceed as rapidly as is consistent with safe navigation, by the inland waters, to New Whatcom, Wash., where you will telegraph your arrival to the Navy Department. You will please state in the telegram that the ship has been weakened by grounding, but the extent could not be ascertained until she had been docked; that you were convoyed to Sitka by the *Yorktown* and came down the inside passage, and that reports had been mailed.

Should you be separated from the *Yorktown*, and your instructions from Commander Folger have not provided for the situation in which you may be placed, make the best of your way to Sitka and then to New Whatcom.

You are ordered to take a pilot, and Mr. J. E. Lennan, who is employed on board the U. S. F. C. Steamer *Albatross*, has been ordered by Lieutenant-Commander Drake to report to you for the duty. You are authorized to pay him $250 for the run between Sitka and New Whatcom and $10 per diem from the date on which the *Adams* leaves this port up to that when she sails from Sitka.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

COMMANDING OFFICER, U. S. S. ADAMS.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 18, 1894.

SIR: Proceed with the vessel under your command to the island of Attu, and when you have taken on board Lieut. G. C. Carmine, United States Revenue Marine, return to Unalaska and coal immediately. The general instructions to exercise due economy in the expenditure of fuel are not to be considered.

If the weather permits, please cross, either in going or returning, the one hundred and seventieth meridian in latitude 54° 25′ N., the one hundred and seventy-fifth in latitude 54° 10′, and the one hundred and eightieth in latitude 54′ N.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER, U. S. S. RANGER.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 18, 1894.

SIR: Proceed with the vessel under your command to Yokohama, Japan, and report your arrival to the commander in chief United States naval forces on Asiatic station and to the Navy Department.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER, U. S. S. PETREL.

[Inclosure.]

U. S. S. YORKTOWN (THIRD RATE),
St. Paul Island, August 5, 1894.

SIR: In compliance with your instructions of July 11 I have the honor to report that I remained with this vessel as guard ship at St. Paul Island until relieved on August 5 by the U. S. S. *Adams.*

I have nothing to report regarding the seal during this tour of duty as guard ship beyond the fact that I established a code of signals by gun fire with the Treasury officials on the Island.

Very respectfully,

WM. M. FOLGER,
Commander, Commanding.

Commander C. E. CLARK,
Commanding United States Naval Forces in Bering Sea.

[Inclosure.]

U. S. S. YORKTOWN (THIRD RATE),
Unalaska, Alaska, August 13, 1894.

SIR: In compliance with your instructions dated July 26 I have the honor to report that upon being relieved at St. Paul Island by the U. S. S. *Adams* on August 5, I proceeded to St. Matthews Island, arriving at the northern anchorage on August 8.

I remained there until the 11th instant, landing several times at different points, but found no evidence of wrecked whalers.

I arrived at Unalaska on the 13th instant.

Very respectfully,

W. M. FOLGER,
Commander, Commanding.

Commander C. E. CLARK,
Commanding United States Naval Forces in Bering Sea.

[Inclosure.]

No. 19.]

U. S. S. PETREL (FOURTH RATE),
Dutch Harbor, Alaska, August 14, 1894.

SIR: I have the honor to submit the report of the cruise of the *Petrel* to the Pribilof Islands, made in obedience to your order dated U. S. S. *Mohican*, Dutch Harbor, July 11, 1894.

Sailed from Unalaska, 11 a. m., August 1, steaming to make the eastern end of St. George Island. Shortly after leaving Unalaska ran into a dense fog which, continuing too thick to see ahead, anchored off St. George Island when soundings indicated its vicinity, on August 2 at 2 p. m. At 4 a. m., August 3, fog showing signs of lifting, got under way and stood for the northern anchorage, St. George Island, where the *Petrel* arrived shortly after 6 a. m., and delivered mail matter to the *Alert*. The *Petrel* then stood for St. Paul, but sighting the *Concord* off Tolstoi Point, stood for her to report and ask instructions. Inferring from signals shortly afterwards made by the *Alert* that she was under the impression that the *Petrel's* signals were for her, stood into the northern anchorage a second time to correct the misinterpretation. Accomplished the latter by 8.30 a. m. and stood for St. Paul Island about 10 miles behind the *Concord*.

About the time of sighting St. Paul Island the fog again became dense. At 1 p. m., being in hearing of the rookeries without being able to distinguish the land, heard the *Petrel's* whistle answered by a steam launch close aboard; hailed her to come alongside. She proved to be the steam launch of the *Adams*. In answer to my inquiries, the officer in charge of the launch informed me that the *Adams* was ashore on the reefs to the westward of Stony Point, Lukannon Bay. I directed him to say to Commander Brice that the *Petrel* would go at once to the assistance of the *Adams*.

Upon entering Lukannon Bay succeeded, by the guidance of the steam whistle of the *Concord*, in passing between her and the *Yorktown*. Rounded to under the quarter of the *Concord*, and in obedience to Commander Goodrich's order reported to him in person. I received the senior officer's order to render all assistance possible to Commander Brice, and that Commander Brice, who was present, would inform me as to what he required. Accompanied Commander Brice to the *Adams*, who pointed out to me the position of the vessel, where she was aground, the soundings, where the anchors were planted, etc., and requested me to bring the *Petrel* as close to the *Adams* as possible in order to assist in towing her off the reef at high tide with full steam power.

Having personally sounded the approach to the *Adams*, the *Petrel* was anchored off the reef, and the vessel veered to half cable length from the grounded vessel, to which a 4½-inch wire line was made fast.

At high tide, 6.40 p. m., started the engines, increasing the revolutions gradually to 100. For fifteen minutes the *Petrel* developed 800 I. H. P., when the wire line parted in fair play, without the *Adams* moving but a few feet, due to the fact that the line was made fast to the stern of that vessel. Sent 7-inch manila hawser, which was made fast to the bow of the *Adams*, which vessel was towed off the reef as soon as 600 I. H. P. had been developed by the *Petrel*, 90 revolutions, full stroke.

Left Lukannon Bay at 4 a. m., August 6, arriving at St. George Island, northern anchorage, at 9.30 a. m., relieving the *Alert* as the guard vessel of the island.

Got under way August 10, to convey the special agent, Treasury Department, to St. Paul, in obedience to order, from senior officer at the islands. Dense fog prevailing all the time, the *Petrel* was not able to return to her anchorage at St. George Island until next day at 10.30 a. m. Fog clearing, got under way same day and steamed around island, viewing the rookeries, anchoring off the village at 8.30 p. m.

On Sunday, August 12, at 5.30 p. m., received, per the *Corwin*, orders to proceed to Dutch Harbor, Unalaska. Sailed half an hour after receiving the order, arriving at Unalaska at 8 a. m., August 14, being delayed by head gales and fog, which prevailed when getting under way and lasted during the passage.

The tracing of the present cruise and the latitude and longitude of the principal changes of course are respectfully inclosed, marked A.

	Miles.
Distance run during cruise from August 1 to August 14, inclusive	518.8
From Hongkong to August 1	9,193.3
Total distance run by *Petrel* since receipt of orders	9,712.1

I have the honor to be, very respectfully,

W. H. EMORY,
Lieut. Commander, Commanding.

The COMMANDING OFFICER U. S. NAVAL FORCES,
Bering Sea.

[Inclosure.]

U. S. S. ALERT (THIRD RATE),
Unalaska, Alaska, August 14, 1894.

SIR: I have the honor to report that, in obedience to your order of July 25, I left this port on the morning of July 30 for the Pribilof Islands.

Arrived off village St. George at 10 a. m. on the 2d instant. Found the U. S. S. *Adams* there, and relieved her of the duty of guarding the island. The *Adams* got under way and stood out for St. Paul.

On the 6th instant the U. S. S. *Petrel* anchored off St. George, and delivered to me orders from Commander C. F. Goodrich, senior officer present at the islands, a copy of which is inclosed. On the 7th I got under way and proceeded to execute these orders, arriving at St. Paul on the 11th instant.

No sealing vessels were seen during the cruise around the islands, and no seals except a few when nearing the islands.

Found the U. S. S. *Concord* anchored off the NE. point of St. Paul, and relieved her there.

On the 13th instant the revenue cutter *Corwin* came in about 6 a. m., bringing mail and your orders of the 11th instant, in obedience to which I sailed at 8 a. m. for Unalaska, being relieved at St. Paul by the *Corwin*.

On the 14th instant sighted the British schooner *Labrador*, well outside of the 60-mile limit, but did not board her on account of a heavy sea running.

Anchored in Dutch Harbor at 4 p. m. to-day.

A track tracing of the cruise is herewith inclosed.

Very respectfully,

JOHN H. C. COFFIN,
Lieutenant, United States Navy, Commanding.

The COMMANDING OFFICER U. S. NAVAL FORCES,
Bering Sea.

No. 211.] U. S. S. Mohican (Third Rate),
Dutch Harbor, Alaska, August 21, 1894.

Sir: I have the honor to acknowledge the receipt of the Department's confidential letter, dated July 7, 1894, in relation to the return of vessels of the Bering Sea fleet to San Francisco and to the Asiatic station.

The *Petrel* sailed for Yokohama on the 18th of August, as reported by telegram via Port Townsend, in consequence of the Department's telegraphic order dated July 24, and the *Concord* will sail when the westerly gale, now blowing, has moderated sufficiently.

Referring to the instructions contained in paragraph 4, directing that the *Rush* return not later than October 1, if that vessel does not arrive by the middle of September, I will retain the *Corwin* for the time specified.

Very respectfully,
C. E. Clark,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

The Secretary of the Navy,
Washington, D. C.

No. 212.] U. S. S. Mohican (Third Rate),
Dutch Harbor, Alaska, August 22, 1894.

Sir: I have the honor to inform the Department that full reports of the movements of the vessels and matters pertaining to the squadron were sent on the 18th.

I now have an opportunity to send a hurried report by the steam schooner *Albion*, which will sail direct for Seattle and which may arrive before the steamer from Sitka reaches Port Townsend, or the *Adams* New Whatcom, and therefore will state briefly as follows:

The *Petrel* sailed for Yokohama on the 18th and the *Concord* on the 22d of August.

The *Yorktown* and the *Adams* sailed for Sitka on the 18th. The *Adams* ran ashore on St. Paul Island, Lieutenant Norton in command, Commander Brice being on the sick list, on the 2d of August and was hauled off twenty-six hours later by the *Concord*, *Yorktown*, and *Petrel*. Commander Brice having reported to me that he, the chief engineer, and executive officer considered that the condition of the ship as to safety was doubtful, and this having been concurred in by a board of survey, I ordered her to Sitka and from there, by the inside passage, to New Whatcom, Wash. Commander Brice has been condemned by a medical survey and transferred to the hospital at Mare Island. The *Yorktown* will return from Sitka with dispatch.

The *Ranger* sailed on the 18th, and will take on board the United States Revenue Marine officer stationed at Attu.

The *Alert* sailed on the 17th for the Pribilof Islands and will patrol the 60-mile limit.

The *Albatross* sailed on the 17th, and is patrolling the 60-mile limit and cruising to the westward of it.

The *Corwin* sailed on the 11th and is guarding the Pribilof Islands.

This vessel is coaling and will sail to-morrow, weather permitting, for a cruise in the vicinity of the Pribilof Islands and along the 60-mile limit.

The gale of yesterday and the day before was the severest known here for the season, but the *Albion*, which came from the northward, missed the full force of it, therefore I hope that our vessels weathered it comfortably.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

The SECRETARY OF THE NAVY,
Washington, D. C.

[Telegram.]

UNALASKA, ALASKA, *August 11,*
VIA SAN FRANCISCO, CAL., *August 23, 1894.*

Cipher telegram dated July 24 received. *Corwin* leaves to-night with orders to *Concord* and *Petrel* at Pribilof Islands to return to Unalaska immediatedly.

CLARK, *Mohican.*

The SECRETARY OF THE NAVY,
Washington, D. C.

No. 219.]
U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 30, 1894.

SIR: I have the honor to submit the following report to the Department regarding the catch of fur seals in Bering Sea since the season opened, August 1, based upon information collected by the *Ranger*, *Albatross*, *Corwin*, and this vessel:

Vessels.	Sealers boarded.	Males recorded.	Females recorded.	Total.
Mohican	12	4,188	3,479	7,667
Ranger	2	85	392	477
Albatross	6	262	921	1,183
Corwin	4	209	1,666	1,875
Grand total	23	4,744	6,458	11,202

In the cruising report the number of sealers stated to have been boarded by the *Mohican* is 13, but as one of these was afterwards boarded by the *Corwin* and a later report of her catch obtained, the number had to be changed to 12.

That the number of female seals taken is greatly in excess of the number recorded there is not a particle of doubt. It will be seen that Lieutenant-Commander Drake, in his report dated August 27, states that of 646 seal skins on board the schooner *Borealis* 95 per cent were those of females. He informs me that the master reported that 70 per cent were females, and that the correct figures were obtained by the naturalists on board the *Albatross*, all the skins having been broken out and examined. There was probably a nearer approximation toward the facts, or less misrepresentation, in this than in most cases where returns are made by masters of sealing vessels. The pelagic sealer will never admit that he has killed a female seal until compelled to, and, with the present methods of keeping the records, the requirements under article 5 of the award do not interfere with his easy arrival at satisfactory conclusions. The hunters who go out in the boats skin the seals, throw the bodies overboard, and on their return report the sex of the seals killed, and as they know what is most acceptable to the master there is no reason why he should ever be tempted to make a false entry in the account.

In my opinion, of the 11,202 already known to have been captured 10,000 are females, but until the number of dead pups that have starved on the islands is counted, the real results of the seasons work and the full measure of its brutality can not be properly estimated.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The SECRETARY OF THE NAVY.

No. 216.] U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 30, 1894.

SIR: I have the honor to inform the Department that this vessel left Unalaska for a cruise on the 23d of August and returned to-day, the 30th, in time to send mail by the coal steamer *Willamette*, which vessel sails for Seattle, Wash., direct.

The *Alert* was communicated with on the morning of the 26th at the northern anchorage, St. George Island, and the *Corwin* at the northeast anchorage, St. Paul, on the evening of the same day. The latter vessel, being nearly out of coal, was ordered to return to Unalaska. The *Alert* was driven from her anchorage by the late heavy gale, but, getting an offing, weathered it without any mishaps.

As will be seen by the accompanying reports, the British schooner *Favourite* was seized on the morning of the 24th for having an unsealed shotgun on board.

Thirteen different sealing vessels were boarded during the cruise, and the total number of seals taken by them since the season opened, August 1, is 7,947, of which 3,689 are recorded to be females.

As I was on the sick list, Lieut. A. V. Wadhams, United States Navy, commanded the vessel all the time we were at sea.

Less thick weather than usual was experienced, and only once, the night of the 24th, did the wind freshen to a gale.

I find the *Ranger*, *Albatross*, and *Corwin* in port. The *Ranger* arrived last night; is coaling, fitting a new jib boom to replace the one carried away in a gale, and making necessary repairs to machinery and boilers; will be ready to sail in four days. The *Albatross* arrived on the 27th, has coaled already, and will be ready for sea on September 1. The *Corwin* arrived on the 28th and is hauled up on the beach to clean her bottom, now very foul; will coal, repair, and be ready for sea by September 3.

Copies of reports from commanding officers are herewith inclosed.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

The SECRETARY OF THE NAVY,
Washington, D. C.

[Inclosure.]

U. S. S. ALBATROSS, BERING SEA SQUADRON,
Dutch Harbor, Unalaska Island, Alaska, August 27, 1894.

SIR: The *Albatross* left Dutch Harbor August 17, at 10.45 a. m., in obedience to your orders of August 16. In the offing, a strong wind and sea were encountered from W. by S. (mag.), which lasted throughout the day. Course was laid W. ¼ N. for a distance of 76 miles; then NW. ¼ N. for 72 miles, in order to intercept any sealers approaching the vicinity of the 60-mile zone in the southwest quadrant. A thick fog set in during the night, with decreasing wind and sea.

At 4.30 a. m., August 18, sighted and boarded the British sealing schooner *San Jose* of Victoria, B. C. Seventy-four per cent of the seals taken by this vessel were females. Catch, to date, 163; position, 34 miles from prohibited zone. Had not been previously boarded in Bering Sea. (See Boarding Record, appended hereto.)

At 12.30 p. m. reached the 60-mile limit, and laid course in order t traverse it to the northward and westward for sealers in close proximity. At 8 p. m. boarded the sealing schooner *Borealis*, of Victoria, B. C., 15 miles outside of the zone. He had a license to seal and distinguishing flag, but had not been warned; furnished him with copy of the award, and other papers. Had not been boarded since clearing from home port. His catch to date was 646, of which 95 per cent were females. (See Boarding Record.)

Shaped course for St. George Island, and made it at 8 a. m. August 19, and anchored off the village at 10.20. Communicated with the Government agent on shore, and steamer *Lakme*, taking in cargo of skins. The U. S. revenue steamer *Corwin* came in from St. Paul and anchored; reports everything quiet at St. Paul. Three white men lost in a fog from a sealer (the *Fawn*, of Victoria,) 100 miles WNW. from St. Paul, were found by the *Corwin* on the south side of St. George on the 16th, having sailed and drifted in a sealing canoe for three days and nights, and weathered a westerly gale which drove them in. The *Corwin* was to have returned to St. Paul the same afternoon (19th).

The *Albatross* sailed for the western sealing belt at noon, setting course west, magnetic. Indications of an approaching storm were already marked by a rapidly falling barometer and strong wind in heavy squalls from east, magnetic. Not wishing to overrun the sealing belt too far to the westward during the night, accordingly at 8 p. m. hove to on the starboard tack. In the meantime the storm center passed to the southward and westward, the wind hauling to southward and westward and around to NW., from which quarter it continued to blow throughout the 20th and 21st, with a rough, irregular sea and cross swell. The barometer fell to 28.83, or 1.50 inches during the gale.

The morning of the 22d indicating fair weather, filled away and laid course WSW., magnetic, 85 miles, in order to intercept the northwest sealing belt and trace the migration of seals in this locality; also to examine sealers fallen in with. In the evening stood to the southward and then to the eastward about 20 miles south of forenoon course in order to be near the sealing zone in the morning.

August 23 at 5 a. m. having arrived within 90 miles of St. Paul, bearing ESE. ½ E., magnetic, changed course to southward for 16 miles and then to westward to recross the sealing belt. At 10.50 a. m. boarded the British sealing schooner *Mary Ellen*, on return from Japanese coast. Since August 2 had only caught 67 seals in Bering Sea, having in the meantime circumnavigated the sealing belt surrounding the closed zone. Up to date 75 per cent of his catch in the sea were females. (See Boarding Record.)

Standing on the southward and westward, following the direction of the seals apparently going to and coming from the islands, we fell in with and boarded the British sealing schooner *Rosie Olsen*, of Victoria, at 5 p. m. Found this sealer to be on his return from Japan. Was licensed in Attu, and commenced sealing in Bering Sea on the 18th instant; up to date had taken 42 seals, of which 55 per cent were females. (See Boarding Record.)

At 8 p. m., having reached the western limit of the sealing belt, 140 miles west of St. Paul, stood to the southward for the purpose of recrossing the belt in a lower latitude. During the night the weather set in with heavy wind and rain squalls from the SE.; barometer falling. The morning of the 24th opened with a strong gale and heavy sea, which continued with unabated force throughout the day and part of the next night. During this time we were compelled to lie to; weather rainy with thick scud flying, and wind reaching an estimated force of 10.

The morning of the 25th we stood away to the southward and eastward for the purpose of keeping the center of the sealing belt and picking up sealers blown off by the gale. At 11.15, a. m. sighted and boarded the British sealing schooner *Walter A. Earle*, of Victoria, 95 miles SW. ½ S., magnetic, from St. Paul. Has been in Bering Sea since August 1; catch to date, 238 seals, of which 66 per cent were females. (See Boarding Record.)

From this point the course was SSW., magnetic, in order to reach the outer limit of the sealing belt. After a run of 80 miles from the prohibited zone, or 150 miles SW. ½ W. from St. George, the course was set for the night SE., magnetic, in order to keep the outer border of the belt during the night and recross it again the 26th. Accordingly, having run 57 miles on this course, changed it to NE. by N. for St. George and ran 60 miles and recrossed the sealing belt without sighting any sealers in this portion of the southwest quadrant. The course was then changed to SE. by S., magnetic, again crossing the belt with negative results.

A heavy swell and moderate sea had been running since the last gale of the 24th, with overcast sky and threatening weather, in which sealers were unable to lower their boats. Hence, out of the ten days during which the *Albatross* cruised in the northwest and southwest quadrants, only part of one day were any boats found lowered from the sealers, and they were all manned with white hunters, who are not afraid to venture away from their vessels. These boats staid out only three hours, however, and returned without any catch, the sea being too rough to seal. The captains of the sealers inform me that this condition of weather is very discouraging to sealing, and will undoubtedly close the season early, with moderate catches.

The sealers all report that five days out of seven are not sealing days on account of the numerous gales which have occurred this year, and which are exceptionally severe; hence, they look for a worse condition in September. Moreover, the captains of the sealers say that their native hunters are becoming restless and will not do good work the remaining part of this month unless there is a prospect of return home in the early part of September. Hence, the majority have planned to leave the sea about the 10th of September. A few of the sealers who have white hunters may remain later in the season.

From questioning the sealers with regard to the different vessels in the sea and their exchanged records of seals caught up to dates given, and from the eleven sealers of which I have positive results, a very close calculation can be made of the extent of pelagic sealing in the sea for the season as follows:

Number of vessels known to be sealing	37
Number of vessels registered America	8
Number of vessels registered British	29
Total number of seals taken by 11 sealers	3,209
Total number of days these vessels have been in sea	178
Average catch per diem per vessel	18

Limiting the season's work to the middle of September, which I consider will be excessive, or forty-five days from the 1st of August, will make the total catch 37 by 18 by 45, equal to 29,970 seals.

The record also shows that 74 per cent of the catch are females. Hence, females, 22,178; males, 7,792.

This signifies that 22,178 dead pups will be found on the rookeries by the end of the season, besides 22,178 in the embryo state, as is the generally accepted theory. Therefore the slaughter this season may be fairly estimated at 66,534 seals. In how far this will hasten the extermination only remains to be seen. The sealers express themselves as perfectly satisfied with the modus vivendi, as they declare that the very season most desired for pelagic sealing is following the 1st of August, the time when the cows are forced to leave the rookeries in search of food and nourishment for their newly born pups.

From a careful examination of the ground passed over by the *Albatross* during this summer's work in Bering Sea in connection with the reports thus far obtained from sealers boarded and the locality in which seals have been taken in the sealing belt surrounding the prohibited zone, it appears that the sealing ground for this year has been confined to the western, southern, and southeastern portions of the belt circumscribing the prohibited zone, and which is defined by two radii from St. Paul Island—one, N. 51° W., true; the other, S. 81° E., covering an arc of 210°. The southeastern and southern belts average 50 miles in width. The western belt varies from 50 to 75 miles, owing to the nature of the plateau in this locality as outlined by the 100-fathom curve, in which it is to be observed that a strong northerly set occurs in this locality which is not materially affected by northerly winds, but more properly by the topographical features of the bed of this portion of the Bering Sea connecting with the Aleutian chain of islands to the southward, which undoubtedly control the surface, subsurface, and warmer currents of the Japan stream passing into the sea. There is a possibility that this could bring with it certain pelagic species which would be sustained at or near the surface by the warmer subsurface currents rising as they approach the plateau, thereby making this a favorite feeding ground; for in this locality some of the largest catches have already occurred, reaching as high as 250 per diem per sealer.

AREA AND TOPOGRAPHICAL FEATURES OF THE SEALING BELT.

Western belt.—The area of this belt is 10,938 square miles. On the northwestern plateau of this belt 2,536 square miles are inside of the 100-fathom curve in which its northeastern border commences in 65 fathoms; it then slopes gradually to the 100-fathom curve (see sketch A). The remaining portion of this belt, 8,402 square miles (77 per cent of the western belt), occupies the slope of the southwestern face of this plateau, varying in depth from the 100-fathom curve to 1,800 fathoms at its western limit.

Southern belt.—The area of this belt is 6,700 square miles. Its eastern border commences at the 100-fathom curve on the southeastern plateau and slopes gradually to 1,700 fathoms at its western border, connecting with the western belt. (See sketch A.)

Southeastern belt.—The area of this belt is 4,950 square miles. Its northeastern border commences in 54 fathoms; it then slopes gradually to the 100-fathom curve, connecting with the southern belt. (See sketch A.) Total area of sealing belt, 22,588 square miles; area of sealing belt on plateau, 7,486 square miles. Sixty-seven per cent of the sealing belt is therefore in deep water outside of the 100-fathom curve.

Having traversed the southwest quadrant, the course was laid for Cape Cheerful. The *Albatross* arrived in Dutch Harbor August 27, at 3 p. m., having steamed 1,436.5 miles in patrolling the northwest and southwest quadrants.

The following papers, records, tables, etc., are herewith submitted, viz: Tracing of track chart from 17th to 27th August, inclusive; table of meridian positions, intermediate positions where course was changed, and daily distances steamed per log; boarding record; record of fur seals observed at sea; duplicate of paper given to master of schooner *Mary Ellen*, of Victoria, regarding release of bomb gun and powder for same; blue print of chart of Bering Sea sealing belt, season of 1894.

Very respectfully,

F. J. DRAKE,

Lieutenant Commander, United States Navy, Commanding.

Commander C. E. CLARK, U. S. N.,

Commanding United States Naval Force in Bering Sea,
Dutch Harbor, Unalaska.

[Inclosure.]

REVENUE MARINE STEAMER CORWIN,
Port of Dutch Harbor, Alaska, August 30, 1894.

SIR: I have the honor to report that in obedience to your order of August 11 I left Dutch Harbor at 5.20 p. m. with the dispatches for the vessels about the Pribilof Islands. August 12, 5.45 p. m., delivered your orders to the commanding officer U. S. S. *Petrel* and proceeded toward St. Paul at 6 p. m., fresh SE. wind, thick fog, and rain. Set course to go under lee of island. August 13, steamed into 10 fathoms water, dense fog, and no reply to my fog signals; anchored at 1.15 a. m. to wait for daylight; 4.45 under way, steamed into the land and to the eastward, and at 5.30 delivered your orders to U. S. S. *Alert*, and thence to Lukannon Bay to anchor. August 14, at anchor off East Landing, St. Paul Island. August 15, 6 a. m., got under way and steamed to St. George Island. At 7.10, same date, U. S. S. *Concord* arrived off the village. Delivered your orders to commanding officer. At 11 p. m., same date, three men belonging to British schooner *Fawn* came on board for transportation to Unalaska. The men had separated from their vessel in a fog August 11, and had been since that time without food or water; had landed on the south side of St. George soon after daylight, morning of the 15th, and had slept until about 2 p. m., when they saw the *Corwin* and tried to launch their boat, but filled her in the surf. They were more successful later and pulled around Tolstoi Point; were supplied with food and water by U. S. S. *Concord* and directed to come to this vessel off the village. I received them on board and turned them over to commanding officer H. M. S. *Pheasant* in Dutch Harbor.

August 15, returned to St. Paul Island and anchored off East Landing August 16. Off East Landing, St. Paul Island, August 17 and 18.

August 19, steamed to St. George and returned. Saw U. S. S. *Albatross* and U. S. S. *Alert* off St. George. August 20, hard NW. gale, hove to under canvass east of the island. August 21 and 22, off East Landing, St. Paul Island. August 23, steamed to St. George and returned. August 24, at anchor in Village Cove, St. Paul Island.

August 25, steamed round the island and anchored off East Landing. Saw U. S. S. *Alert* 3 miles W. ½ N. from Village Cove. August 26, 10 a. m., got under way and started for St. George for water. At 12.30 received signal from U. S. S. *Mohican* "To follow me;" turned and steamed after that vessel, to an anchor off north side of St. Paul Island. Received 120 gallons of water and your verbal order to return to Unalaska for coal. August 27, 9.40, got under way and steamed to west end of St. George, and thence a course to a point 10 miles west of Cape Cheerful. August 28, 5.20 a. m., 115 miles SE. ½ E. from St. George boarded American schooner *Rose Sparks*, Todd, master. Arrived in the sea August 6, and had taken 511 skins, 78 males. At 10.30 a. m. boarded British schooner *Minnie*, Jacobs, master, and had 891 skins, 70 males. At 11.25 a. m. boarded whaling schooner *Nicolini*, Tilton, master, thirty-five days from Point Hope; had 12,000 pounds bone; bound to Unalaska for water. Sealed up his firearms. At 3.05 boarded American schooner *Deeahks*, Larsen, master, had taken 333 skins, 18 males. At 4.15 boarded American schooner *Theresa*, of San Francisco, had taken 140 skins, 43 males. Anchored in Dutch Harbor at 10.10 p. m., same date. August 29, laid the *Corwin* on the bottom near the wharf to clean the bottom and clear the strainers.

Very respectfully, FRED. M. MUNGER,
Captain, United States Revenue-Cutter Service.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea.

[Inclosure.]

U. S. S. RANGER (THIRD RATE),
Dutch Harbor, Alaska, August 30, 1894.

SIR: I have the honor to submit the following report of the operations of the vessel under my command from August 18, 1894, to date:

In obedience to your instructions, left Dutch Harbor at 8 p. m., August 18, setting course W. ¾ S. At 7.40 a. m., August 19, boarded the American schooner *Ella Johnson*. During the morning watch, previous to boarding the schooner, 22 seal were seen in the water, also a large number of pup seal, which appeared to be lost and were hanging on to small patches of kelp. This schooner had a number of boats out at the time she was boarded, and had taken 312 skins, 255 of which were females. No doubt a number of these were the mothers of the pups above referred to.

At 11 a. m. of the 19th the barometer commenced to fall, and at 12 meridian dropped from 29.74 to 29.60. The force of the wind at this time was 4, barometer at 1 p. m. was 29.52, and wind increased to force of 7 from SE., accompanied with rough sea. At 5 p. m. wind moderated to a force of 5 from S. by E., increasing at 6 to 5 to 7, and continuing so until 8 p. m., when the wind changed to south, force 5 to 8, barometer falling rapidly from 1 p. m. to 29.09. At 8 p. m. wind continued from south with force of 5 to 8 until 11 p. m., when the force was 7 to 9, barometer falling at this time to 28.94. At midnight wind shifted to S. by W., force 7 to 9, barometer 28.90. At 1 p. m. took in topsails and foresail, close reefing topsails and single reefing foresail, and furled them. Sent down topgallant masts, rigged in flying jibboom, bent fore storm staysail, and made all preparations for a gale. Ship lying to, heading SW. by S. under fore-topmast staysail and the clews of the main trysail and spanker. The gale moderated at 4.30 p. m. and at 4.48 put ship on course NW. by W., setting jib and main topmast staysail and hauling out head of main trysail and spanker. At 5.30 changed course to WSW. ¼ W. The wind increasing at 6, took in jib and main topmast staysail, and at 8.30, gale increasing, hauled down fore-topmast staysail, set fore storm staysail and hauled down head of main trysail and spanker. Sea became rough at 3 p. m. and continued so, increasing all the while until 11 p. m., when battened down hatches, and at 11.50 hove ship to on port tack. At 12 midnight tacked ship and hove to on starboard tack, gale increasing all the while.

At 1 a. m., August 20, wind shifted to SW., force 9 to 10, sea becoming heavy and rough; continued with this force and shifted at 3 a. m. to SW. by W. and backing at 4 a. m. to SSW., force 9 to 10, with heavy cross sea. Barometer commenced to rise at 2 a. m., standing at 28.93, being at 28.90 at 1 a. m., at 4 a. m. 28.96; force of wind at 5 a. m. 8 to 9, barometer 28.98. At 6 a. m. wind from west, force 8 to 9, barometer 29.01. Wind increased at 7 to 9 to 10, the same at 8, barometer rising to 29.15. At 9 wind W. by N., force 8 to 10; barometer continued rising until noon, when it was 29.46, when wind shifted to WNW., force 8 to 10. At 1 p. m. wind backed to W. by N. and continued with same force until 4 p. m., when it hauled to WNW., force 7 to 9, barometer rising at this hour to 29.64. Heavy cross sea from midnight until 11 a. m., when it became very heavy and continued so until 8 p. m. At 4 p. m. wind commenced to moderate from WNW.; continued moderating until 11 p. m., when it backed to W. by N., force 4 to 6, barometer 29.86.

At 1 a. m., August 21, wind increased to 5 to 7, and at 3 backed to west same force, moderating at 4 to a force of 6; wind continued from this point until meridian, when the force was 3. Sea rough and confused from midnight until noon; barometer at noon had risen to 30.07 and at midnight to 30.21; wind from W. by N., force 2. At 2 a. m. August 21, took in all sail and kept ship head to sea.

The hook of the dolphin striker was carried away in this gale; it was taken in, repaired, and reshipped. Secured jibboom with heavy fourfold purchase from head of boom to cutwater.

At 8.13 a. m., August 21, went ahead on course W. ¼ N.; continued on this course until 1.38 a. m., August 22, when I changed to WSW. ¾ W., barometer 30.21, wind from W. by S., force of 2, overcast and cloudy. Continued on course WSW. ¾ W. until 11.42 p. m., when I changed to SW. by W. ¾ W.

Barometer commenced to fall at 5 a. m., August 22, and at midnight of this date had fallen to 29.84. Continued on course SW. by W. ¾ W. until 5.45 a. m., August 24; when wind freshened up very suddenly from SSE. at 5 o'clock and at 6 had shifted to SE. with a force of 8 to 10; at 6.30 tacked ship and headed ENE., barometer falling from 29.44 at 4 a. m. to 29.18 at 6, and to 29.06 at 8 a. m. Battened down hatches and made all preparations for a gale. At 7.25 a. m. hove to on starboard tack, heading ESE. under fore storm staysail and clews of main trysail and spanker. Wind SSE., force 7 to 9. At 8 o'clock wind hauled to SSW.; continued hauling to westward as far as WSW. at 11 a. m., and at 3 p. m. backed to SW. by W.; at 4 to SW., force 6 to 8, barometer rising to 29.55, gale moderating from this point at 6 p. m., barometer standing at 29.60.

At 10.50 a. m., August 24, the ship jumped into an unusually heavy sea, and as she was about to rise a heavy cross sea broke over the jib netting and boom, carrying away the jibboom at the cap.

At 7.30 p. m., 24th, tacked ship and lay to on port tack for the night. At 5.23 a. m., August 25, stood on the course WSW. for Chichagof Harbor, arriving there and anchoring at 2.51 p. m. of that date in 5½ fathoms of water.

These two cyclones came up very suddenly, and blew very hard almost from their commencement. In the first instance the barometer had been rising gradually from 5 a. m. of the 18th; when it was 29.52, until 8 a. m. of the 19th, when it was 29.76. It will be noticed that the wind shifted very rapidly, causing a very high and dangerous cross sea, which was kept from breaking on board by the free use of oil.

After anchoring in Chichagof Harbor I communicated with the revenue officer on shore, and made preparations to receive him on board.

At 10.45 a. m., August 26, received on board Lieut. Thomas Carmine and Seaman Thomas Brandt, United States Revenue-Cutter Service, with their effects and a dory belonging to the *Corwin*. Made preparations for getting underway, and at 1.20 p. m. got underway and stood out of harbor. At 1.48 sighted a schooner to northwest; stood for her, and at 2.45 stopped and sent an officer to board the schooner *Geo. Peabody*, of San Francisco; sealed her arms and ammunition and gave her permit to proceed to San Francisco, dating the papers August 27, eastern date, to correspond with her log, she being en route from Japan via Commander Island to Attu, where she was bound for the purpose of securing license to proceed to San Francisco. At 6.56 p. m. went ahead, setting course E. by N. Continued on this course until 8.30 p. m., August 27, when changed to ENE. ¾ E. until 9 a. m., August 28; to NE. by E. ¾ E., and at 8 p. m. to NE. by E. ½ E. Continued on this course until 9.08 a. m., August 29, when changed to NE. by E. ¾ E. At 12.10 p. m. sighted a schooner on port beam with several boats out; at 12.30 stopped and sent an officer to inspect one of her boats, a canoe. Boarding officer having returned at 12.45, went ahead and stood for schooner, heaving to at 1.40 p. m. and sending an officer to board her. She proved to be the *Stella Erland*, of Seattle. Boarding officer returned at 2.45. Went ahead on course NE. by E. ½ E. At 6.10 sighted Bogaslof Volcano ahead. At 7.10 changed course to ENE. ½ E., and at 8.30 to NE. by E.; continued on this course until 11.42 p. m., when changed to NE. ½ E., sighting the high land of Makushin at 12.20 a. m., August 30. Continued along land until 2.40 a. m., when stopped engines and hove to with Cape Cheerful abeam. At 4.11 a. m. went ahead, standing in for Dutch Harbor, and anchoring there at 6.20 a. m.

Inclosure No. 1 gives all details as to distances run, track of ship, and number of seal seen, and in what locality.

Inclosure No. 2 contains details relating to vessels boarded.

Very respectfully,

E. LONGNECKER,
Commander, United States Navy, Commanding.

The COMMANDING OFFICER UNITED STATES NAVAL FORCE,
Bering Sea.

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 30, 1894.

SIR: I have the honor to inclose herewith all reports concerning the seizure of the British schooner *Favourite*, Laughlin McLean, master, of Victoria, British Columbia.

The seizure was made by Lieut. A. V. Wadhams, then in command, as I was on the sick list, but as the act is likely to be characterized as unjustifiable by the owners and otherwise unfavorably commented upon, I will here state that he was only carrying out my instructions.

It is more than likely that the shotgun for which the vessel was seized was intended to be used in projecting signal stars, as the barrels were cut off, reducing them to a length of about 12 inches; but it was found after trial that it could be used to kill seals much beyond the ordinary range of spear throwing.

But whether this was the only intention, or whether there was another to use it for killing seals in case it was allowed for signal purposes, I am not prepared to say; but its possession is clearly in violation of the provisions contained in section 10 of the act of Congress approved April 6, 1894.

The master states, and his manifest shows, that the collector of the port of Victoria knew the shotgun was on board, but I am sure the collector informed him, as he has others, that permission to carry it unsealed in Bering Sea was upon the condition that a further authorization should be obtained when he reached Unalaska.

The cartridges or stars used in signaling so closely resemble the ordinary cartridges used in shotguns that there would be little chance of finding ammunition when overhauling sealers if these so-called signal guns and charges are allowed on board.

Very respectfully, C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The SECRETARY OF THE NAVY,
Washington, D. C.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Bering Sea, August 24, 1894.

SIR: I have the honor to report that I seized to-day, in latitude 54° 38′ north, longitude 168° 29′ west, the British schooner *Favourite*, 80 tons, Laughlin McLean, master and owner, for having on board a double-barreled shotgun.

Ensign T. J. Senn, the boarding officer from this vessel, while examining the manifest of the *Favourite*, found an entry of one shotgun, which the master produced, stating that it was used for signal purposes. The gun was not sealed, and, upon examination on board this vessel, it was found to be No. 10 gauge bore. The barrels had been cut off, leaving them about 12 inches long, but upon trial the gun was found to shoot accurately at least 50 yards. Ensign Senn's report in regard to the finding of the shotgun is inclosed, marked A.

The possession of this firearm is in violation of section 10 of the act of Congress approved April 6, 1894, mentioned in the President's proclamation in regard to seal fisheries, dated April 9, 1894. The second clause of the above-mentioned section reads as follows: "Or if any licensed vessel shall be found in the waters to which this act applies, having on board apparatus or implements suitable for taking seals, but forbidden then and there to be used, it shall be presumed that the vessel in the one case and the apparatus or implements in the other was or were used in violation of this act until it is otherwise sufficiently proved."

Upon seizure, the master of the *Favourite* was ordered to proceed to Unalaska with his vessel. Naval Cadet A. A. Pratt and four men were put on board, in accordance with the instructions of the Navy Department, dated May 4, 1894.

The ship's papers and the shotgun were put in Mr. Pratt's possession, with orders to deliver them and the vessel to the senior British naval officer at Unalaska or to the commanding officer of any British man-of-war that he might fall in with. A copy of Mr. Pratt's orders is inclosed, marked B.

The master of the *Favourite* was furnished a receipt for all the ship's papers and the shotgun. He was also given a declaration stating why I seized his vessel. A copy of said declaration is inclosed, marked C.

Upon seizure the official log of the *Favourite* stated that there were 1,238 seal skins on board.

I would further state that the master of the *Favourite* made no protest whatever in regard to the seizure.

Very respectfully,

A. V. WADHAMS,
Lieutenant, United States Navy, Commanding.

The COMMANDER UNITED STATES NAVAL FORCES,
Bering Sea.

[Inclosure.]

A.

U. S. S. MOHICAN (THIRD RATE),
BERING SEA (latitude 54° 38′ north, longitude 168° 29′ west),
August 24, 1894.

SIR: I respectfully report that, in obedience to your verbal orders, I boarded at 6 o'clock this morning, in latitude 54° 38′ north, longitude 168° 29′ west, the British sealing schooner *Favourite*, of Victoria, British Columbia, registered No. 61302, Capt. Laughlin McLean.

At my request, the master produced all the ship's papers. I saw on the manifest that he had one shotgun, and the master, producing it, said that he used it for night signaling. This gun is a double-barreled shotgun, with the barrels cut off to about 12 inches from the stock and the butt of the stock sawed off.

I returned on board the *Mohican*, reported to you that this gun was on board. You instructed me to return to the *Favourite* and direct the master to come on board with all his papers and the gun. The master returned with me, and under your direction the gun was fired and found to shoot very accurately for a distance of 50 yards.

You then informed the master that his vessel would be seized.

Very respectfully,

THOS. J. SENN,
Ensign, United States Navy.

The COMMANDING OFFICER, U. S. S. MOHICAN.

[Inclosure.]

B.

U. S. S. MOHICAN (THIRD RATE),
BERING SEA (latitude 54° 35′ north, longitude 168° 28′ west),
August 24, 1894.

SIR: You are hereby placed on board the seized British schooner *Favourite* to see that she proceeds without delay to Unalaska, where you will hand her over to the senior British naval officer present, taking his receipt therefor, with that of all inclosed papers.

You will have under your command an armed force of four enlisted men, rationed for ten days.

You will not interfere with the duties of the master unless it becomes evident to you that he purposes escape or unreasonable delay. But you will give him such aid as he may desire and you can properly render.

On reaching Unalaska you will at once communicate with the senior United States naval officer present, if there be one, and show him these orders.

If there be no British ship in port, you will hold the *Favourite* until one arrives.

Should you fall in with a British man-of-war en route, you will request her commanding officer to relieve you of the charge of the *Favourite* and to land you either at Unalaska or some other point where you may obtain transportation to that point.

When free of the *Favourite*, await the *Mohican's* arrival at Unalaska.

Very respectfully,

A. V. WADHAMS,
Lieutenant, United States Navy, Commanding.

Naval Cadet A. A. PRATT,
United States Navy.

[Inclosure.]

C.

U. S. S. MOHICAN (THIRD RATE),
BERING SEA (latitude 54° 38′ north, longitude 168° 29′ west),
August 24, 1894.

To L. MCLEAN,
Master Schooner Favourite:

Your vessel having been seized for violations of article 6 of the award of the Tribunal of Arbitration and of that part of section 10 of the act of Congress approved April 6, 1894, which reads: " * * * or if any licensed vessel shall be found in the waters to which this act applies, having on board apparatus or implements for taking seals, but forbidden then and there to be used, it shall be presumed that the vessel in the one case and the apparatus or implements in the other was or were used in violation of this act until it is otherwise sufficiently proved." You are hereby directed to proceed with the vessel under your command, and all persons borne on your shipping articles, to Unalaska, there to be turned over to the senior British naval officer present, for such action as he deems fit.

The shotgun which you produced when Ensign T. J. Senn, United States Navy, the boarding officer, found its entry in the manifest of your vessel, and which you stated was a signal gun, was found, after trial on board the *Mohican*, to carry No. 10 gauge cartridges and to shoot with accuracy at least 50 yards.

Naval Cadet A. A. Pratt, United States Navy, and four men will be placed on board your vessel to see that you carry out these instructions without undue delay.

You are distinctly informed that your authority and responsibilities as master are in no wise affected or abridged, except in so far that your movements are confined to the passage from this place to Unalaska and that you are ordered to retain all your crew on board until your arrival there. In other words, you remain in complete command of your vessel, and the duty of obedience by your crew to your lawful orders remains in the same force as heretofore.

Should a British man-of-war be encountered en route, her commanding officer will be requested to assume charge of the *Favourite*.

Naval Cadet Pratt will render you any reasonable assistance in his power on the passage, if you so desire.

You hold my receipt for certain documents which I have found it necessary to withdraw from your custody.

A. V. WADHAMS,
Lieutenant, United States Navy, Commanding.

[Inclosure.]

U. S. S. Mohican (Third Rate),
Bering Sea (latitude 54° 38′ north, longitude 168° 28′ west),
August 24, 1894.

I, A. V. Wadhams, lieutenant, U. S. N., commanding the U. S. S. *Mohican* during the illness of Commander Charles E. Clark, declare that I have this day seized in latitude 54° 38′ north, longitude 168° 29′ west, the British schooner *Favourite*, 80 tons, Laughlin McLean, master, owned by Laughlin McLean, fitted for sealing and having on board 1,238 seal skins, as per official log. I further declare that I have seized the *Favourite* for having on board a double-barrel shotgun, which was found upon trial on board this vessel to carry No. 10-gauge cartridge, and to shoot accurately at least 50 yards, the possession of this shotgun being in contravention of article 6, award of the Tribunal of Arbitration, and of that part of section 10 of the act of Congress which reads:

"Or if any licensed vessel shall be found in waters to which this act applies having on board apparatus or implements suitable for taking seals, but forbidden then and there to be used, it shall be presumed that the vessel in the one case, and the apparatus or implements in the other, was or were used in violation of this act until it is otherwise sufficiently proved."

And I further declare that the *Favourite* appears to be in good condition; that I have placed Naval Cadet A. A. Pratt, U. S. N., and four men on board, with orders to turn her over to the senior British naval officer at Unalaska, or to the commanding officer of any British vessel that may be fallen in with at sea; that I have given the master directions to proceed to Unalaska, and stated therein that his authority over his crew is in no way abridged so long as he endeavors to carry out in good faith the instructions given him. And I further declare that I have placed in possession of Naval Cadet A. A. Pratt, U. S. N., the officer sent in the *Favourite*, the vessel's papers and the shotgun referred to, giving a receipt to the master for the same; the said receipt stating that the shotgun and papers will be delivered with the vessel to the senior British naval officer at Unalaska.

And I further declare that the witnesses in the case are Ensign Thomas J. Senn and myself.

A. V. Wadhams,
Lieutenant, U. S. N., Commanding U. S. S. Mohican.

[Inclosure.]

U. S. S. Mohican (Third Rate),
Bering Sea (latitude 54° 38′ north, longitude 168° 29′ west),
August 24, 1894.

Received from L. McLean, master of the British schooner *Favourite*, one shotgun and the following ship's papers:

One register official, No. 61302; one copy of telegram to collector of customs at Victoria, British Columbia, signed Charles Hibbert Tupper; two casting licenses, Nos. 11 and 170, signed T. Roberts; one bill of health, signed A. R. Milne; one certificate of ammunition and implements sealed, signed H. Menherran; one declaration of contents of vessel, signed Laughlin McLean; one license to British sailing vessels engaged in fur-seal fishing, dated June 16, 1894, signed A. R. Milne; one official log book of schooner *Favourite*.

To be retained in the possession of the United States naval officer, put on board the *Favourite*, and to be delivered with the vessel to the senior British naval officer at Unalaska, or to the commanding officer of any British naval vessel that may be fallen in with while at sea.

A. V. Wadhams,
Lieutenant, United States Navy, Commanding U. S. S. Mohican.

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, September 1, 1894.

SIR: I have the honor to inform the Department by the steamer *Lakme*, sailing to-day direct for San Francisco, that there has been no changes in the stations of the vessels of the fleet since my last report, dated August 30 and forwarded by the steamer *Willamette*, was made.

H. M. S. *Pheasant* arrived last night from a short cruise between the passes and the 60-mile limit.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The SECRETARY OF THE NAVY,
Washington, D. C.

No. 227.]
U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, September 14, 1894.

SIR: I have the honor to inform the Department that this vessel left Unalaska on the 7th of September for a short cruise in the vicinity of latitude 55° north and longitude 169° west, the principal resort of the sealing fleet. During the forenoon of the 8th the limit of the prohibited zone was crossed, but no vessels being seen thereabouts the course was laid to the southward and thence to the eastward. The afternoon of the 9th, looked into Akutan Bay, but no sealers were found watering there. Stood out again to the northward of Unimak Pass, and during the night changed course to the westward. On the afternoon of the 10th encountered a strong southerly gale, and during the night the ship was hove to under short canvas and steam. At 4.30 a. m. on the 11th, the gale having moderated, steamed into Unalaska and came to in Dutch Harbor at 7.20 a. m.

Soon after anchoring, the propeller was examined, and it was found that the blade opposite the one lost during the previous cruise had also been broken off about 27 inches from the hub. No one, either on deck or in the engine room, had felt or reported having felt any shock, and the examination was made simply to see if there were any further developments of injuries due to the accident when the first blade was broken. As the alternate blades are gone, it is probable that the log or the object struck by the first blade the night of August 28 was thrown aside just long enough to let the next blade pass, and that the one following that was fractured. The blade not broken, already referred to, has two cracks in the entering edge about 18 inches from the end, perhaps 4 inches apart and 2 inches deep, the metal between being bent out of line.

If this blade is not materially weakened and the fourth is intact, I hope the ship will make in fair weather with a smooth sea from 6 to 7 knots. But with the motive power thus reduced, and with the chance that one, perhaps both the remaining blades, are weakened, further cruising in the Bering Sea, where gales of wind are frequent and lee shores are often precipitous, with water too deep for anchoring, would be imprudent. Favoring winds may be expected for the run to San Francisco, and I hope that the departure of the sailing fleet and the arrival of the *Bear* will enable me to sail within the next two weeks.

During the cruise but one sealer not previously boarded in the sea by our cruisers was fallen in with, and she had just been spoken by

H. M. S. *Pheasant.* Four that were boarded during the previous cruise were communicated with and found to have taken but few seals during the interval. A number of sealers have already been seen running out through the passes, or are known to have left the sea, and it is probable that the late gales, the expense of maintaining their vessels (some of them having, with their hunters, over forty people on board), the falling off in the number of seals seen, and the low prices the skins are said to bring this year, will soon drive out the rest. The *Yorktown* and *Ranger* have just made the circuit of the prohibited zone around the Pribilof Islands, covering a belt nearly 50 miles wide outside the limit, while the *Albatross* was keeping inside, and the *Ranger* cruised for several days in addition where it was thought sealers might be found, but with the exception of those fallen in with near this port and the passes only two were seen. Three weeks before, this vessel, the *Corwin*, and the *Albatross*, cruising in search of them, fell in with and boarded over twenty.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The SECRETARY OF THE NAVY,
Washington, D. C.

No. 228.]
U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, September 14, 1894.

SIR: I have the honor to submit the following report concerning the movements of the different vessels of the fleet since September 1, 1894, the date of that next preceding.

This vessel left Unalaska September 7, cruised between the prohibited zone around the Pribilof Islands and Unimak Pass; encountered a southerly gale on the 10th, and anchored in Dutch Harbor the morning of the 11th. An examination of the propeller showed that a second blade had been broken, as reported in letter No. 227 of this date.

The *Yorktown* arrived from Sitka on the 6th, having been detained there making necessary repairs, full reports of the same with tracing being forwarded by this mail. Sailed from Unalaska on the 8th and returned on the 11th, having made the circuit of the prohibited zone around the Pribilof Islands. Has coaled and will sail for San Francisco, in accordance with the Department's instructions, dated July 7, 1894, when the weather will permit.

The *Ranger* sailed on the 4th of September and returned on the 14th, having made the circuit of the prohibited zone, cruised to the eastward of it and visited the Pribilof Islands. Will be ready for sea on the morning of the 18th and will cruise between the Pribilof Islands and Amukta Pass.

The *Alert* arrived from the Pribilof Islands on the 7th and began making repairs needed, before sailing for San Francisco; is all ready and will sail as soon as the weather will permit.

The *Albatross* sailed on the 8th and returned on the 14th, having visited the Pribilof Islands and made the circuit of the prohibited zone. Will be ready for sea on the 17th, and after a short cruise between the Pribilof Islands and Unimak Pass will coal and sail for Port Townsend via Sitka.

The *Corwin* sailed on the 4th and after a short cruise to the eastward returned on the 6th, then filled up with coal and sailed for the Pribilof Islands, with orders to return to Unalaska not later than the 24th instant.

The steam schooner *Jennie*, which arrived last night from Port Clarence, reports having fallen in with the U. S. revenue steamer *Bear* and that Captain Healy expected to arrive here by the 20th instant.

Copies of orders to commanding officers and reports received from them are herewith inclosed, also copies of orders sent by the Treasury Department to the commanding officer of the U. S. revenue steamer *Rush*, but transferred by the Assistant Secretary of the Treasury to the commanding officer of the *Corwin*.

Very respectfully, C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

The SECRETARY OF THE NAVY.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 21, 1894.

SIR: On the morning of the 22d, or as soon thereafter as the gale now blowing has moderated sufficiently, please proceed with the vessel under your command with dispatch to Yokohama, Japan, and report to the commander in chief United States naval forces on Asiatic station and to the Navy Department.

Very respectfully, C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER U. S. S. CONCORD.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, September 1, 1894.

SIR: When ready for sea proceed with the vessel under your command to latitude 22° 15′ north, longitude 170° 40′ west, and from that point make zigzag courses along a belt 25 miles in width, surrounding the 60-mile zone, until you have reached latitude — north, longitude — west, when you will please return to Unalaska. Should you have plenty of coal, however, upon arrival at the latter position, and the weather is favorable, please cruise in the southeastern quadrant and within 100 miles of the 60-mile limit.

While making the circuit of the prohibited zone, cross the limit occasionally, and if in doubt about the ship's position you may run in for the Pribilofs.

A list of sealers boarded by this and other vessels since the season opened, August 1, is inclosed, and, as it is more important that the whereabouts and methods of others should be ascertained, do not lose time in overhauling those named on the list. It is rumored that the schooner *Arietus*, last heard of to the westward of the 60-mile limit, has not been licensed, and that she and another with double topmasts, last reported in the southeastern quadrant, are using shotguns.

Show the running lights every night and use the steam whistle in thick weather, as the *Yorktown*, *Albatross*, and *Corwin* may at any time be near you.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER U. S. S. RANGER.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, September 1, 1894.

SIR: When ready for sea proceed with the vessel under your command to latitude 54° 55′ north and longitude 171° 15′ west, and from that point make zigzag courses along the belt bound by curves outside of and concentric with the 60-mile limit, and distant from it 25 and 50 miles, respectively. When you have reached latitude 55° 50′ north and longitude 167° 25′ west, return direct to Unalaska.

A list of sealers boarded by this and other vessels since the season opened, August 1, is inclosed and, as it is more important that the whereabouts and methods of others should be ascertained, do not lose time in overhauling those named on the list. It is rumored that the schooner *Arietus*, last heard of to the westward of the 60-mile limit, has not been licensed, and that she and another with double topmasts, last reported in the southeastern quadrant, are using shotguns.

Show running lights every night and use the steam whistle in thick weather, as the *Ranger*, *Albatross*, and *Corwin* may at any time be near you.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER U. S. S. YORKTOWN.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, September 3, 1894.

SIR: When ready for sea proceed with the vessel under your command to Akun Cove and later to Akutan Bay, and if no sealers are found at either anchorage, nor seen near the Unimak Pass, remain at Akutan Bay not more than two days, keeping steam up and lookout for sealing vessels that may enter or approach and then return to Unalaska.

Upon arriving coal, taking a deck load, and if in the meantime you receive no further instructions please sail on the afternoon of the 8th of September, weather permitting, for the Pribilof Islands.

While guarding the islands, take advantage of favorable opportunities to make short runs inside the prohibited zone. Keep within a belt bounded by curves concentric with and distant 10 and 20 miles respectively from the 60-mile limit, and cover the ground to the northward of the islands first. Return to Unalaska not later than the 24th instant.

A list of sealers boarded by this and other vessels since the season opened, August 1, is inclosed, and as it is more important that the whereabouts and methods of others should be ascertained, do not lose time in overhauling those named on the list. It is rumored that the schooner *Arietus*, last heard of to the westward of the 60-mile limit, has not been licensed, and that she and another, with double topmasts, last reported in the southeastern quadrant, are using shotguns.

Show the running lights every night and use the steam whistle in thick weather, as the *Yorktown*, *Ranger*, and *Albatross* may at any time be near you.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER U. S. R. S. CORWIN.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, September 3, 1894.

SIR: When ready for sea proceed with the vessel under your command to the southeastern quadrant, steering at first a course that will form a tangent to a curve concentric with, and 100 miles outside of the 60-mile limit.

If you do not fall in with any of the sealing fleet please return to Unalaska within four days, and in the absence of further instructions, coal and sail as soon as the weather will permit for the Pribilof Islands.

When you have landed the naturalists, or have transferred them to the *Corwin* to be landed, cruise within the prohibited zone, making zigzag courses along a belt bounded by the 60-mile limit, and a curve 20 miles inside of and concentric with it.

If the opportunity offers please run several lines of soundings across the bank shown on the chart to the westward of St. George Island.

A list of sealers boarded by this and other vessels since the season opened, August 1, is inclosed, and as it is more important that the whereabouts and methods of others should be ascertained, do not lose time in overhauling those named on the list. It is rumored that the schooner *Arietas*, last heard of to the westward of the 60-mile limit, has not been licensed, and that she with another with double topmasts, last reported in the southeastern quadrant, are using shotguns.

Show the running lights every night and use the steam whistle in thick weather, as the *Yorktown* and *Ranger* may at any time be near you.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER U. S. S. ALBATROSS.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, September 7, 1894.

SIR: You are hereby informed that circular to commanding officers, No. 20, is revoked. Commanding officers will see that no arrests of citizens are made by any persons in the naval service.

Please acknowledge the receipt of this order.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

COMMANDING OFFICER U. S. S. ——.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, September 7, 1894.

SIR: You are hereby directed to carry out the instructions contained in the letter from the Assistant Secretary of the Treasury dated August 25, 1894, relative to the landing of an officer and an armed boat's crew on the island of St. George.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER U. S. R. S. CORWIN.

[Inclosure.]

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., July 28, 1894.

SIR: You are directed on the 1st of October next, or as near that date as practicable, to detail an officer and an armed boat's crew for duty on the island of St. George, to remain as a guard until the 1st of November, on which date they will be taken on board the revenue steamer *Bear* and furnished transportation to San Francisco to rejoin the *Rush*. While on board the *Bear* the officer and men will perform duty as a part of the complement of that vessel.

You will issue rations and furnish mess gear necessary for the boat's crew from the supply on board the *Rush*.

You will instruct the officer that you may detail for this duty to report to the special Treasury agent in charge of the island, to furnish him with a copy of your letter of instructions to him, and to carry out any orders he may receive in accordance with these instructions.

The crew from the *Rush* will not be assigned to guard duty at the several rookeries, but will be held at the village as a reserve force in readiness at all times to proceed at a moment's notice to any point on the island where a raid may be threatened or their service may be specially needed.

You will instruct the officer to look carefully after the men in his charge and see that they do not visit the natives' houses, and inform him that he will be held to a strict accountability for their conduct and efficiency while on the island.

Under date of June 14, the North American Commercial Company agrees to furnish board and lodgings to the officer at the rate of $5 per week, and to afford the men all facilities for cooking, and allow them the use of a room in one of the company's buildings, suitable for quarters, during the time they are on the island free of charge. If found necessary a room in the Government house will be assigned for the use of the officer while on the island.

On joining the *Bear* the officer will submit to her commanding officer for transmission to the Department a report covering all proceedings while on the island.

Respectfully,
W. E. CURTIS,
Assistant Secretary.

Capt. C. L. HOOPER,
Commanding Revenue Steamer Rush, Unalaska, Alaska.

UNITED STATES REVENUE-CUTTER SERVICE,
Steamer ——, Port of Sitka, Alaska, August 25, 1894.

SIR: I beg to inclose to you instructions just received by Captain Hooper, of the United States revenue steamer *Rush*, with reference to landing an officer and boat's crew on St. George Island.

At present it is impossible for me to state whether or not I shall have finished with the steamer *Rush* prior to October 1, the date mentioned in the said instructions. You are therefore directed, in case the *Rush* does not return to Unalaska before September 25, 1894, to carry out with your command the instructions contained in the letter to Captain Hooper, and this will be your authority for such action.

Very respectfully, yours,
C. S. HAMLIN,
Assistant Secretary.

Capt. F. M. MUNGER,
Commanding United States Revenue Steamer Corwin,
Unalaska, Alaska.

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, September 7, 1894.

SIR: You are hereby directed to carry out the instructions contained in the letter from the Assistant Secretary of the Treasury, dated August 25, 1894, relative to the landing of an officer and an armed boat's crew on the island of St. George.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

COMMANDING OFFICER U. S. R. S. CORWIN.

[Inclosure.]

U. S. S. ALBATROSS, BERING SEA SQUADRON,
Dutch Harbor, Unalaska Island, Alaska, September 6, 1894.

SIR: The *Albatross* left Dutch Harbor at 9.15 a. m., September 4, in obedience to your orders of September 3. In the offing, fell in with and spoke the sealers *Kilmeny* and *Deeahks*, bound into Unalaska for water and provisions; both vessels have been boarded recently. Their time of leaving the sea will be between the 10th and 15th of September. Up to date their catch was: *Kilmeny*, 600 in Bering Sea; *Deeahks*, 850.

Set courses N. by E., mag., and at 2.30 sighted and interviewed the captain of the American sealer *Jane Gray*, who came on board; position 6 miles off north end of Akun Island. He was bound out of the sea on his way to San Francisco. Had been in Japan Sea, returning by way of Attu, where license was procured. His catch to date was 138 seals, of which 92 were females. He stated that several sealers had already departed, as the length of delay in order to get fair sealing weather for the remainder of the season was not worth the expense in time.

From this point, shaped course to touch the tangent 100 miles outside of the prohibited zone at a point 162 miles from St. George, bearing W. ½ N., mag. At 1.30 a. m., September 5, having reached this position, set course N. by W. ½ W., mag., and ran 80 miles; then changed course to SW. by S., mag., in order to traverse this portion of the quadrant, specified in your orders, St. George bearing SW. by W. ½ W., mag., distant 155 miles. A run of 38 miles was made on this course without sighting any sealers or seals; clear horizon with passing showers. The course was then changed east, mag., in order to recross this belt while working to the southward. Having made a run of 45 miles, which placed us 161 miles from St. George, bearing W. by S., mag., changed course to SW. by S., mag., again crossing the belt to the southward and westward. Having run 60 miles on this course, changed to S. ½ E., mag.

At 11.40 a. m. boarded the British sealer *Walter L. Rich*, bound out of Bering Sea through Unimak Pass for home port; lat. 54° 47′ N., long. 166° 23′ W., 32 miles from Akun Island, bearing ESE., mag. His catch to date is 1,738 seals in the sea. (See Boarding Record.)

The boarding officer returned at 12.30, and then laid the course for Unalaska, anchoring in Dutch Harbor at 8.30 p. m., having steamed 490.1 miles since our departure on the 4th instant.

The following papers, records, etc., are hereunto appended: Tracing of track chart from 4th to 6th September, inclusive; table of meridian positions, intermediate positions where course was changed, and daily distances steamed per log; record of vessels boarded and spoken; record of fur seals observed at sea.

Very respectfully, F. J. DRAKE,
Lieutenant-Commander, United States Navy, Commanding.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Forces in Bering Sea,
Dutch Harbor, Alaska.

[Inclosure.]

REVENUE-MARINE STEAMER CORWIN,
Port of Dutch Harbor, Unalaska, September 7, 1894.

SIR: I have the honor to report that, in obedience to order of 4th instant, I left the harbor at 10 a. m., September 4, steaming to the eastward, stood into, and to the head of Akutan Harbor, and thence to an anchorage in Akun Cove. No vessel at anchor in either place. September 5, at 5.50 a. m., under way and steamed to eastward across Unimak Pass; 8.30 a. m. boarded sealing schooner *Jane Grey*, Funcke, master; had 138 skins on board and was leaving the sea bound for San Francisco. Steamed about the head of the pass during the day, and anchored in Akutan Harbor at 6.20 p. m. No other vessel seen during the day. September 6, at 9.15 a. m., under way, steamed out of harbor, thence NW. 10 miles SW. by W. 35 miles and to an anchor in Dutch Harbor. At 6.45 p. m. boarded, 7 miles NW. of Cape Cheerful, sealing schooner *Columbia*, of West Bay, Powers, master; had taken 357 skins and was bound to Port Townsend. Three miles NW. from the *Columbia* spoke sealing schooners *Theresa* and *Minnie*. The vessels mentioned were all seen during the cruise.

Very respectfully,
FRED M. MUNGER,
Captain, United State Revenue-Cutter Service.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Forces in Bering Sea.

[Inclosure.]

U. S. S. YORKTOWN (THIRD RATE),
Unalaska, Alaska, September 11, 1894.

SIR: In compliance with your instructions of the 7th instant I have the honor to report that I proceeded with the U. S. S. *Yorktown*, at 8 a. m. on the forenoon of the 8th instant, to latitude 54° 55′ north, longitude 171° 15′ west, and from that point pursued a zigzag course along a belt bounded by curves outside of and concentric with the 60-mile limit and distant from it 25 and 50 miles, respectively.

I returned this date to Unalaska by the point, latitude 56° 50′, longitude 167° 25′.

Sealing schooners *Allie I. Alger*, *Ida Etta*, *Walter A. Earle*, and *Deahka* were sighted at the points noted on the accompanying tracing.

The *Ida Etta* and *Allie I. Alger* were boarded. The others, being upon the list of vessels recently overhauled, were not boarded. The *Allie I. Alger* was bound home; the others were still at work.

Seals were sighted—probably a half dozen in all—at the points indicated on the tracing.

I think the temperature of the water to the northward of the Pribilof's occasionally 39 degrees on this run; too low for the seals.

I can not believe there are many sealers to the northward of the Pribilof's, as the weather having been fine and clear the *Yorktown* covered a track at least 30 miles in width during daylight.

Very respectfully,
WM. M. FOLGER,
Commander, Commanding.

Commander C. E. CLARK,
Commanding United States Naval Forces in Bering Sea.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, September 14, 1894.

SIR: When ready for sea proceed with the vessel under your command to San Francisco, Cal., and report your arrival by telegraph to the Navy Department and to the commandant of the Mare Island Navy-Yard.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER U. S. S. YORKTOWN.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, September 14, 1894.

SIR: When ready for sea proceed to San Francisco, Cal., with the vessel under your command, and report your arrival by telegraph to the Navy Department and to the commandant, Mare Island Navy-Yard.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER U. S. S. ALERT.

[Inclosure.]

Report on cruise to Pribilof Islands, thence transverse within prohibited zone between concentric circles of 40 and 60 miles radius.

U. S. S. ALBATROSS, BERING SEA SQUADRON,
Dutch Harbor, Unalaska Island, Alaska, September 14, 1894.

SIR: The *Albatross* finished coaling on the 8th instant at noon, and sailed from Dutch Harbor at 2.30 p. m., in obedience to your orders of September 3, to complete the above-named portion of work assigned to this vessel. In order to expedite the work and take advantage of good weather, I transferred the naturalists, Messrs. Townsend and Miller, to the *Corwin*, who conveyed them to the islands.

The evening of the 8th fell in with and spoke the American sealer *Allie I. Alger*, of Seattle, bound to Unalaska for water and provisions, and thence home. Had been in the sea 34 days; number of catch, 327 seals, of which 60 per cent were females.

At 6 o'clock on the morning of the 9th spoke the British sealer *Triumph*, of Victoria. Will leave the sea for home port on the 11th instant. Had been in the sea 40 days; number of catch, 3,014, of which 76 per cent were females. He was NNW. ¾ W., mag.

At 8.45 reached the 60-mile limit and commenced the traverse 83 miles from St. George, bearing courses prescribed, setting course WNW. ½ W., mag. Continued the traverses, alternating between circles 20 miles apart, working through the southwest, northwest, and northeast quadrants with fair weather and good observations.

The evening of the 10th became cloudy and overcast, with wind increasing from NE., mag. The morning of the 11th was ushered in with stiff to fresh breeze from the NE., with passing rain squalls and falling barometer. It continued to blow throughout the day with decreasing force, however, during the afternoon, but producing an irregular cross sea.

At 5.30 a. m., having reached a point 40 miles from St. George, bearing W. by N., mag., headed for that island for the purpose of making a lee and verifying position. Having approached the island within 10 miles by D. R., and not being able to see over 200 yards, laid to for one hour and a half, waiting for fog and heavy squalls to pass over. Took soundings every half hour and noted drift. Having located the position of ship by the soundings, filled away at 10.05 and steamed ahead on course WNW., mag., heading for St. George. At 10.40 made the island on starboard bow, bearing NW. by W., mag., and distant about 1 mile. Passed it on the west side and stood on for St. Paul, sounding frequently when approaching Otter Island. At 4 p. m. heard the surf breaking heavily on the island in a dense fog, but could not see the island. Changed course to the eastward, leaving the island on the port hand, and stood in for St. Paul. Sounded frequently, feeling the way in a dense fog to the anchorage off the village in Village Cove. At 5.45 p. m., September 11, anchored inside of Reef Point in 17½ fathoms and waited for the fog to lift. Encountered heavy tide rips and rough sea between Otter Island and Reef Point, with strong tide sweeping lead off the bottom.

At 6.50 a. m., on the 12th, got under way and stood in to anchorage in Village Cove. Found the *Corwin* here. Communicated with the shore and took the naturalists on board that evening, they having finished their examination of the rookeries on the islands. They estimate, by counting, that there are now about 10,000 dead pups, which will be increased to about 8,000 or 10,000 more, from present appearances, by the end of October, making the sum total about 18,000 to 20,000 as the result of the present system of pelagic sealing.

The *Corwin* left the harbor at 2.30 p. m., going to the westward to take up the traverse assigned to that vessel.

On the morning of the 13th got under way from St. Paul at 6 a. m., shaping course ESE., mag. Passed St. George abeam at 11 a. m., distant 3.5 miles. At 4.20 p. m. took up remainder of traverse courses left unfinished on the morning of the 11th. Having finished this work at 8.20 p. m., with St. George bearing NW. ¼ N., mag., distant 60 miles, set course for Unalaska, SE. by E., mag.

During the night a rough cross sea and heavy swell from the eastward were encountered, with falling barometer, passing rain and wind squalls; it blew a fresh to stiff breeze from ENE., moderating toward morning, with weather looking threatening, however.

Sighted Cape Cheerful at 11.45 a. m., bearing ESE., mag., distant 25 miles. Passed two sealers, schooner rigged, hull down, standing to the eastward, apparently bound out.

During the time this vessel was in the vicinity of St. George the weather was boisterous and thick, which prevented running lines of soundings to determine the supposed bank as outlined on Coast Survey Chart No. 8990, extending west (true) from St. George a distance of 14 miles and 1 to 2 miles in width. I can state, however, that no such bank exists carrying 19, 27, 22, and 28 fathoms, as this vessel has several times sounded over this locality with good cross bearings, and found the following depths from the island, extending westward, in the order named: 41 fathoms 2 miles from Salt House in Zapadnie Bay, bearing NE., mag.; then from Dolnoi Point bearing ENE., mag., distant 1 mile, 34 fathoms; then at intervals of 1 to 2 miles, extending westward, the depths increase to 45, 52, 55, 56 fathoms, etc., which to me is conclusive evidence of the nonexistence of such a bank.

At 2 p. m., 14th September, boarded the American sealing schooner *Columbia*, of Port Townsend, bound for Unalaska and thence to home port, with 403 seal skins taken in Bering Sea, of which 55 per cent were females.

The *Albatross* arrived in Dutch Harbor at 4.30 p. m., having steamed 960.3 miles since departure on the 8th instant.

Appended hereunto the following record, papers, etc., are respectfully submitted, viz: Tracing of track chart from 8th to 14th September, inclusive; table of meridian positions, intermediate positions where course was changed, and daily distances steamed per log; record of sealing vessels spoken and boarded; record of fur seals observed at sea.

Very respectfully,

F. J. DRAKE,
Lieutenant-Commander, United States Navy, Commanding.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea,
Dutch Harbor, Unalaska Island, Alaska.

[Inclosure.]

U. S. S. ADAMS (THIRD RATE),
Sitka, Alaska, August 24, 1894.

SIR: I have the honor to submit the following report of the cruise of this vessel from August 18 to this date:

This vessel left Unalaska on August 18, 1894, for Sitka, Alaska, in tow of U. S. S. *Yorktown*, assisting with our engines. On afternoon of same day experienced dense fog, clearing by night. After getting through Unimak Pass, long northwesterly swell. August 19, at 2 p. m., barometer began to fall and continued doing so until 1 a. m 21st. Lowest reading (arenoid), 29.29. Wind in the meantime shifted to SSE. and SE., increasing to fresh gale. Ran with sea abeam til ship rolled 38° and sea lifted steam launch in its cradle about 2 inches.

Lay to under steam, main trysail, and storm mizzen, from 7.45 a. m. to 4.30 p. m., August 20. Wind shifted to SW., increasing to moderate gale at 8 p. m., August 21, with rising barometer and long following sea increasing.

In spite of all we could do propeller raced badly at times, giving ship severe strain aft.

On 22d weather and sea began to moderate, rain squalls became less frequent, wind variable and constantly growing lighter till midnight August 23, when it was calm, though SW. swell followed us as far as Mount Edgecombe.

August 23, at 6 p. m., when about 50 miles from Mount Edgecombe, stopped both vessels and cast off line, proceeding under our own steam to Sitka, where we anchored at 5.50 a. m. to-day.

Commander Folger, of the *Yorktown*, was most considerate in every way during the passage with regard to our safety and comfort, and we owe it to him that we made the run in five days and twenty hours instead of ten days or two weeks, as I expected if sent alone.

I made an examination of this ship to-day, and with the exception of a small fracture in one of the steam pipes, which might occur on any trip, I find her in as fully as good condition as when she left Unalaska.

Tracing showing track and data inclosed.

Very respectfully,

C. A. NORTON,
Lieutenant, U. S. N., Commanding.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea.

[Inclosure.]

U. S. S. YORKTOWN (THIRD RATE),
Unalaska, Alaska, September 6, 1894.

SIR: I have the honor to report that in compliance with your instructions I proceeded on August 18, with the U. S. S. *Adams* in tow, to Sitka, arriving at that point on August 24, having cast off the *Adams* when the entrance to Sitka Sound was sighted.

A southerly gale was experienced off Chirikof Island the 20th instant, necessitating lying to for about nine hours, and thereafter had strong westerly winds until the 23d instant, but the speed of the two vessels was regulated so that no jerking of the hawser occurred.

The *Adams* was directed to proceed south on the 26th instant.

Repairs in the steam-engineering department of this vessel prevented my sailing for Unalaska until September 1.

Moderate weather was experienced on the return passage, and the vessel arrived at this point on September 6.

Very respectfully,

WM. M. FOLGER,
Commander, Commanding.

Commander C. E. CLARK,
Commanding United States Naval Forces in Bering Sea.

[Inclosure.]

U. S. S. ALERT (THIRD RATE),
Dutch Harbor, Alaska, September 7, 1894.

SIR: I have the honor to report that in obedience to your order of August 16, 1894, I left Dutch Harbor on the morning of August 17 for St. George Island, Pribilof group.

Arrived at St. George Island and anchored at Garden Cove August 18 at 4.30 p. m., finding there the steamer *Lakme*.

Proceeded to anchorage off St. George village on August 19 on account of weather. As we came in the U. S. R. S. *Corwin* was seen leaving in the direction of St. Paul.

Got underway on account of weather on the 20th, about 10.30; proceeded around east end of St. George and to sea, southwest of the island, lying to in a northwest gale from 5 p. m. August 20 to 4 p. m. August 21.

Proceeded to carry out your instructions regarding cruise in the northeast quadrant about 80 miles outside the 60-mile limit.

Arrived at St. Paul, Northeast Point, at 2 p. m. August 24. Sent officer ashore to communicate with village by telephone, but was unable to communicate, as telephone line was out of order.

Left Northeast Point, St. Paul, at 7.15 a. m., August 25 and proceeded toward village cove around western and southern sides.

Met U. S. R. S. *Corwin* off Zapadine Point and communicated with her orally, asking for mail, orders, and for other ships.

Stood on for St. George Island, arriving at St. George village August 25 at 6.40 p. m.

U. S. S. *Mohican* arrived at St. George August 26 at 8.40 a. m., leaving again at 9.52 a. m. My written orders of August 16 were by you verbally modified.

At 2 p. m. August 27, sighted U. S. R. S. *Corwin* to westward standing to the southward.

Left St. George Island at 7 a. m. August 31 for St. Paul, arriving off St. Paul village at 12.30 p. m. the same day.

Left St. Paul at 6 a. m. September 1 and proceeded to St. George village, coming to anchor there at 10.30 a. m.

Remained at anchor off St. George village until September 6 at 6 a. m., when proceeded to this port, arriving to-day.

No sealing vessels were seen during the cruise and but few seals except near the islands. Weather generally speaking was favorable for sealing.

Track chart and position table is herewith submitted.

Very respectfully,

JOHN H. C. COFFIN,
Lieutenant, U. S. N., Commanding.

COMMANDING OFFICER U. S. NAVAL FORCE IN BERING SEA.

[Inclosure.]

U. S. S. RANGER (THIRD RATE),
Dutch Harbor, Alaska, September 14, 1894.

SIR: I have the honor to submit the following report of the operations of the vessel under my command from September 4, 1894, to date:

In obedience to your instructions, left Dutch Harbor at 9.20 a. m. September 4, and proceeded to latitude 55° 15′ N., longitude 170° 42′ W., and from that point made zigzag courses of 50 miles in length along a belt 25 miles in width, surrounding the 60-mile zone limit, until I reached latitude 56° 25′ N., longitude 167° W.

I saw no schooners after boarding the *Fawn* September 5, in latitude 54° 50′ N., longitude 168° 50′ W.

At midnight September 6 weather became overcast, cloudy, and misty, and continued so until 5 a. m. of the 7th, when fog set in. At 12.20 a. m. September 7, stood in on SSE. course for St. Paul Island, arriving there and anchoring in Village Cove at 9.27 a. m., fog very dense at times. Fog lifting at 4 p. m. but continuing misty, got underway at 4.27 standing out for the prohibited zone limit north of St. Paul. Coming around the west end of the island sighted a sail to the westward and stood for it. It proved to be the whaling bark *Mars*. Set course for point left on prohibited zone limit before standing in for St. Paul, and continued the zigzag course until the morning of the 9th, when being uncertain of the ship's position, I stood in for St. George Island to verify it, arriving there at 5.08 p. m. and exchanging distinguishing pennants with the *Corwin* before anchoring. Communicated with the *Corwin*, and at 7.08 p. m. got underway standing out for point left on prohibited zone limit, and crossing that point continued on to position designated in your instructions, latitude 56° 25′ N., longitude 167° W., from whence I cruised to the eastward and in the southeast quadrant within the limits designated by you, and as shown in the track chart accompanying this report, until 4.26 p. m. September

13, when I set course for Dutch Harbor, arriving there at 7.33 a. m. this date.

I transmit herewith, marked inclosure No. 1, the track chart of the vessel, and inclosure No. 2, list of vessels boarded and spoken during this period.

While cruising in the southeast quadrant the weather was very unsettled, experiencing much mist, fog, and rain, and on the 11th a moderate to fresh gale which lasted from midnight until 1 p. m. of that date.

Very respectfully,
E. LONGNECKER,
Commander, U. S. Navy, Commanding.

COMMANDING OFFICER U. S. NAVAL FORCE IN BERING SEA.

231.]
U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, September 23, 1894.

SIR: With reference to the Department's letter of July 7, 1894, containing instructions relative to the withdrawal of the fleet from Bering Sea, I have the honor to transmit the following statement showing the reasons why, in my opinion, the *Bear*, designated as the vessel to remain, will be sufficient for the performance of any duty that may be required after the 25th of September.

A number of sealers have recently been seen outside of, or going through the passes, and our cruisers have, of late, failed to find them in the sea. Before the middle of September it was shown that the bad weather experienced beyond the Pribilofs had driven them to the southward, the *Yorktown*, *Ranger*, and *Albatross* making zigzag courses across a wide belt overlaying and extending 50 miles outside the prohibited zone, without discovering a sailing vessel in the upper portions of the circuit. Elsewhere our cruisers have found that they were steadily decreasing in number, and since the 16th the *Ranger* and *Albatross* have cruised upward of 900 miles over the best sealing grounds, but not a vessel was seen. None were sighted by the *Bear* while returning from the Arctic nor during the run from the Pribilofs. To prove that they would have been found had any number remained, it is only necessary to state that every vessel that has cleared from the ports of the United States or British Columbia for the purpose of sealing under the conditions of the award, has been boarded at least once, with the single exception of the *Labrador*, and it is doubted if that vessel ever entered the sea.

Bad weather and gales of wind have made sealing of late unprofitable; few seals in comparison are seen, boats can rarely be lowered, and hunters on board several vessels unwilling to remain out longer have been making trouble. The schooner *Stella Erland*, and possibly one or two others, may remain until October 1, but the gale now blowing will perhaps drive them out. A raid upon the rookeries can not be contemplated by them, even after the boat's crews landed by the *Bear* and *Corwin* have been withdrawn, as watch houses have been built at all the exposed points and armed guards of natives are maintained.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.

(Copy to State Department October 17, 1894.)

232.] U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, September 24, 1894.

SIR: I have the honor to submit the following report concerning the movements of the vessels of the Bering Sea fleet since the 14th instant, the date of that next preceding.

The Bering Sea being practically clear of sealers, as shown by the accompanying report, dated September 23, No. 231, and the *Bear* having arrived, the *Mohican* will sail for San Francisco when the gale now blowing moderates sufficiently. On account of the condition of the propeller, as reported in letter No. 227, dated September 14, 1894, the *Ranger* will accompany us until an offing has been gained outside the Aleutian Islands, and, if necessary, will tow us through Akutan Pass.

The *Ranger* arrived on the 21st, having cruised since the morning of the 18th over the ground most frequented by the sealing fleet to the westward of a line between Unalaska and the Pribilof Islands. Has coaled and will sail when the Mohican is ready for sea.

The *Albatross* sailed on the morning of the 17th and returned the evening of the 18th, having entered Akutan Bay and been to the northward of Unalaska, in the track of sealers that might be working to the eastward. Sailed at 11.40 a. m. on the 20th for San Francisco via Sitka and Port Townsend.

The *Bear* arrived at 9.30 a. m. the 21st, and Captain Healy reported for duty in compliance with orders from the Navy Department dated April 20. Coaled at the Pribilof Islands, leaving St. Paul at 12.30 a. m., and St. George at 7.30 a. m. on the 20th. Has been furnished with orders and circulars now in force, directed to assume the duty of patrolling the Bering Sea, guarding the Pribilofs, etc., and to take on board officers and men in the revenue service, landed on the islands, in time to sail for San Francisco not later than November 1, 1894.

The *Corwin* sailed on the 8th instant for the Pribilof Islands with orders to return not later than the 24th instant. She has not arrived, having probably been kept out by the gale that has been blowing since the morning of the 22d. Orders have been left for her to proceed to San Francisco when ready for sea. As the *Rush* was detached from the fleet after the Department's order, dated July 7, 1894, was issued, I have considered that the instructions contained in paragraph 4 could be regarded as applying to the *Corwin*, and therefore that those in paragraph 6 were complied with when the *Alert*, *Yorktown*, *Ranger*, *Adams*, and *Albatross* had sailed.

H. M. S. *Pheasant* sailed at 9.30 a. m. the 22d instant for Victoria via Sitka, Lieutenant and Commander Blair having stated that he would remain longer if I wished him to, but as our vessels, except the *Bear*, were about to sail—as it is not known that any sealers under the English flag have remained in the sea except the *Fawn*, about to sail from Unalaska for a home port—and as there seems to have been in the sealing fleet a disposition to comply, in all respects, with the conditions imposed by the award, I felt that there was no reason why he should defer his departure.

Copies of orders issued and reports received from commanding officers are inclosed.

Very respectfully, C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.

(Copy to State Department October 17.)

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, September 16, 1894.

SIR: When ready for sea please cruise in the southeastern quadrant, and when you are convinced that the vessels sealing in that neighborhood have left, or are about to leave the Bering Sea, return to Unalaska.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

COMMANDING OFFICER U. S. F. C. STEAMER ALBATROSS.

[Inclosure.]

U. S. S. MOHICAN, (THIRD RATE),
Dutch Harbor, Alaska, September 17, 1894.

SIR: When ready for sea, please cruise in the southeastern quadrant, with a view of ascertaining if the reports that the sealers have left or are leaving Bering Sea are true.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER U. S. S. RANGER.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, September 19, 1894.

SIR: When ready for sea, proceed with the vessel under your command to Sitka, and thence, after filling up with coal there, to San Francisco via Port Townsend. Upon your arrival at Port Townsend. please telegraph the Navy Department and state that you are under orders for San Francisco, and will sail within forty-eight hours, unless instructions to the contrary are received.

While in Sitka, please have photographs taken in accordance with the instructions contained in Letter No. 4778, Bureau of Equipment, a copy of which is herewith inclosed.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER, U. S. S. ALBATROSS.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, September 22, 1894.

SIR: Upon the departure of the U. S. S. *Mohican*, you will assume the duty of patrolling the Bering Sea and of guarding the Pribilof Islands and zone surrounding them in which sealing is prohibited. Copies of orders and circulars issued are herewith inclosed.

You will please take on board the officer and boat's crew landed by the *Corwin* on the island of St. George and any party you may land upon the island of St. Paul, under orders of the Treasury Department, in time to allow you to sail from Unalaska for San Francisco not later than November 1, 1894.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

The COMMANDING OFFICER U. S. REVENUE STEAMER BEAR.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, September 22, 1894.

SIR: When in all respects ready for sea, please proceed with the vessel under your command to San Francisco, Cal., and upon your arrival, report by telegraph to the Navy Department.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER U. S. REVENUE STEAMER CORWIN.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, September 23, 1894.

SIR: You are hereby directed to take on board the vessel under your command, for passage to San Francisco, from the U. S. revenue steamer *Bear*, Mr. Funston, special agent of the Department of Agriculture; and you are authorized to take Mr. Lebis on board from the same vessel, if by so doing you will not incommode the officers of the *Corwin*.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

COMMANDING OFFICER U. S. REVENUE CUTTER CORWIN.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, September 24, 1894.

SIR: When in all respects ready for sea, please proceed with the vessel under your command to San Francisco, Cal., not using more than three boilers, except to make a speed trial, as provided for by regulation, and upon your arrival report by telegraph to the Navy Department and to the commandant of the navy-yard, Mare Island, California.

You will receive on board, for passage to San Francisco, five persons, distressed seamen or miners, found upon the shores of Alaska in a destitute condition by the U. S. revenue steamer *Bear* and brought to this port.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

COMMANDING OFFICER U. S. S. RANGER.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, September 24, 1894.

SIR: You are hereby directed to receive on board the vessel under your command, for passage to San Francisco, five persons, distressed seamen or miners, found upon the shores of Alaska in a destitute condition by the U. S. revenue steamer *Bear* and brought to this port.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

COMMANDING OFFICER U. S. REVENUE CUTTER CORWIN.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, September 24, 1894.

SIR: Your orders of September 22 are so far modified that you will please proceed with the vessel under your command to the island of St. Paul, where you will land an officer with a boat's crew as directed in your instructions from the Treasury Department dated July 24, 1894. You will then return to Unalaska and, unless your presence is required elsewhere, will remain until it is necessary for you to return to the Pribilofs and to take on board the officers and men belonging to the *Bear* and *Corwin* in time to insure your leaving Unalaska for San Francisco not later than November 1, 1894.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The COMMANDING OFFICER U. S. REVENUE STEAMER BEAR.

[Inclosure.]

U. S. S. ALBATROSS, BERING SEA SQUADRON.

REPORT OF CRUISE IN SOUTHEAST QUADRANT IN SEARCH OF SEALERS.

DUTCH HARBOR, UNALASKA ISLAND, ALASKA,
September 18, 1894.

SIR: In obedience to your orders of the 16th instant this vessel sailed from Dutch Harbor on the 17th September at 6.30 a. m. The course was laid north, mag., standing off the coast in order to intersect the line between the Pribilofs and Unimak Pass, and thus fall in with any sealers cruising in this quadrant following the migration of seals passing out of the sea. The weather, however, was threatening, with barometer falling steadily until it reached 29.45. The sea was irregular and rough, with heavy swell from the westward, giving indications of approaching bad weather.

Having reached a point 60 miles from Unalaska, and having cruised to the northward of the track of sealers which would be bound to the eastward, I deemed it advisable to run for Akutan Harbor, with the prospect of picking up some sealers who might take refuge there or seek that place for water or fuel, as it is the nearest harbor to the fairway out of Bering Sea. The *Albatross* arrived at 6 p. m. and anchored for the night, but found no sealers here. Seals were, however, observed in this locality, going out of Unimak Pass.

At 5.30 a. m., September 18, got under way and stood out of Akutan Harbor, and shaped course NW. by W. ½ W., mag., thus steaming up the fairway toward the Pribilofs. Upon clearing the harbor encountered a heavy head sea and swell from the westward, with a fresh breeze, and barometer fluctuating at 29.60. At 10.30 a. m. sighted a sealer standing out through Unimak Pass, hull down to the SE.

Continued on this course until an offing of 45 miles was made without falling in with any more sealers. The course was then changed to the southward, heading for Cape Cheerful, 45 miles distant. At 2.30 sighted Cape Cheerful, distant 15 miles, bearing south mag. At this time the heavy swell and sea from the westward were increasing, with a rising barometer.

At 6 p. m. anchored in Dutch Harbor, having steamed 186.5 miles.

Appended hereunto the following papers, records, etc., are submitted: Tracing of track chart, 17th and 18th September, 1894, inclusive; table of meridian positions, intermediate positions where course was changed, and daily distances steamed per log; record of fur seals observed at sea.

Very respectfully,

F. J. DRAKE,
Lieutenant-Commander, U. S. N., Commanding.

To Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea,
Dutch Harbor, Alaska.

[Inclosure.]

U. S. S. RANGER (THIRD RATE),
Dutch Harbor, Alaska, September 21, 1894.

SIR: In obedience to your instructions I left Dutch Harbor at 7.15 a. m., September 18, and since that date have been cruising in the southwest quadrant, returning to Dutch Harbor at 10.55 a. m. this day.

During this cruise, with the exception of the morning of the 18th instant, I have experienced very fine weather; the moon being clear all night and the sea smooth, gave fine opportunity for views from both masthead and deck day and night.

I have seen no vessel or boat of any description since leaving Dutch Harbor on the 18th instant.

The track chart of the vessel is herewith inclosed, marked inclosure No. 1.

Very respectfully,

E. LONGNECKER,
Commander, U. S. N., Commanding.

The COMMANDING OFFICER UNITED STATES NAVAL FORCE,
Bering Sea.

[Inclosure.]

233.] U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, September 26, 1894.

SIR: Supplemental to the report already prepared for transmission by the *Ranger* and dated September 24, 1894, I have the honor to state that this vessel and the *Ranger* will sail for San Francisco about 10.30 a. m. to-day.

The *Corwin* arrived at noon yesterday, having experienced heavy weather before leaving the Pribilof Islands and during the run to Unalaska. Saw only one sealer, the *Fawn*, just leaving this port for Victoria. When coaled will sail for San Francisco.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.

(Copy to State Department, October 17, 1894.)

NAVY DEPARTMENT,
Washington, D. C., September 24, 1894.

SIR: Please furnish the Department immediately with a full report of all the circumstances connected with the warning of the British sealer *Minnie* in May last.

With said report transmit copies of all communications delivered to the master of the *Minnie* by the boarding officer, or by any other United States official at the time of said warning, except those referred to in paragraph 2 of the Department's printed letter of instructions, dated May 4, 1894.

Very respectfully, H. A. HERBERT,
Secretary.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea,
U. S. S. Mohican (care Navy Pay Office), San Francisco.

NAVY DEPARTMENT,
Washington, September 24, 1894.

SIR: I have the honor to acknowledge the receipt of your letter of the 20th instant, inclosing a copy of an informal communication from the British embassy relative to the warning of the British sealer *Minnie* in May last, and to inform you that the commanding officer of the United States naval force in Bering Sea has been directed to report fully upon the circumstances attending the warning of that vessel, and to transmit with the report a copy of any and all papers delivered by the boarding officer to the master of said vessel.

A copy of the report will, upon receipt, be forwarded to the Department of State.

Very respectfully, your obedient servant,

H. A. HERBERT,
Secretary.

The SECRETARY OF STATE.

NAVY DEPARTMENT,
Washington, D. C., September 25, 1894.

SIR: Referring to paragraph 8 of the Department's confidential instructions, dated May 4, 1894, in regard to the course followed by the seal herd to Bering Sea, you will, in the final report of the operations of the force under your command, state fully the result of the observations that have been made upon this subject, and upon seal life in general.

The following facts shall be included in the report:

1. The number of seals seen in each locality, the date and position being recorded. (This to be shown graphically on a chart.)
2. Observations upon the habits of the fur seal at sea.
3. Approximate dates upon which they reach the passes and rookeries.
4. Observations on the rookeries, number of seals and date upon which they commence to arrive, distances they go out for food, and in what particular localities were the greatest number seen.
5. Approximate dates upon which they leave the rookeries and Bering Sea.

Very respectfully,
H. A. HERBERT,
Secretary.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea,
U. S. S. Mohican (care Navy Pay Office) San Francisco, Cal.

NAVY DEPARTMENT,
Washington, D. C., September 26, 1894.

SIR: I have the honor to transmit herewith copies of correspondence received in this Department from the commanding officer of the United States naval force in Bering Sea, reporting the operations of the squadron under his command in enforcing the provisions of the Bering Sea award.

Attention is particularly invited to the report of the commanding officer of the *Albatross*, dated August 12, 1894, from which it appears that the seals have this year proceeded in large numbers outside of zone of 60 miles around the Pribilof Islands in search of food.

Very respectfully, your obedient servant,
H. A. HERBERT,
Secretary.

The SECRETARY OF STATE.

[Inclosure.]

U. S. S. ALBATROSS, BERING SEA SQUADRON,
Dutch Harbor, Unalaska Island, Alaska, August 12, 1894.

SIR: The *Albatross* left Dutch Harbor at noon July 30, towing out of port the whaling bark *California*, Captain West, for a distance of 14 miles from anchorage, thereby giving him a good offing. When cast off he did not even have the politeness to say "Thank you."

The course was then set W. by N., mag., for a distance of 43 miles until 8 p. m., when it was changed to west. A run of 121 miles was then made on this course, which placed us in the southwest quadrant, 100 miles from St. George, at noon of the 31st. No sealers having been sighted up to date, the course was laid NW. by N. for 65 miles until 8 p. m. when we entered the 60-mile zone, changing the course to NNE. ½ E. St. George was made in a dense fog at 9 a. m., August 1; anchored off the village at 10.30. Sent mail on shore, and communicated with the U. S. S. *Adams*. Found that the naturalists and U. S. S. *Yorktown*, were at St. Paul; the *Alert* had not yet arrived. Got underway at 11.10 for St. Paul, and picked up the island in a dense fog with the lead, and anchored off East Landing at 5.10 p. m. Landed mail and provisions for the *Yorktown*, she having left St. Paul that morning for Otter Island. Took the naturalists on board and left confidential orders for the *Yorktown* in care of Mr. J. Stanley Brown, to be delivered on board immediately upon the return of that vessel.

Got under way at 8.30 p. m., and laid course to pass out of the 60-mile zone at the southern limit of the northwest quadrant. As a large number of sealers expect to make their largest catches within a 30 miles radius of a point W. by S., mag., from St. Paul distant 109 miles, and as they had not yet arrived on the ground it was deemed advisable to cruise to the westward of this sealing zone, pass to the northwest, note the western limit of the presence of seals, and determine the margin of the plateau in this locality as defined by the 100-fathom curve. The 100-fathom curve intersects this sealing zone with deep water, covering about one-third of its area.

August 3 and 4 were occupied in this development, as shown by the appended sketch, marked Plate I, in which the platform of this portion of Bering Sea is outlined on a course N. 71° W. true, from St. Paul, for a distance of 325 miles; thence N. 13° E. true, for a distance of 90 miles. The line ends in 183 fathoms, 125 miles from Cape Nazarin on the Siberian coast, bearing N. 29° W. true; latitude 60° 25′ N. and longitude 178° 49′ W.

Indications of bad weather and a limited coal supply prevented a continuation of this line to the 100-fathom curve. Therefore, at 8 p. m., August 4, changed course to E. ½ N., mag., with the intention of sighting St. Matthew Island on the following day. During the night of the 4th it set in to blow from the southward and eastward, the wind and sea increasing on the 5th to a fresh gale from SE. by S., mag.; weather overcast, foggy, and misty, with passing showers. I regret to say that this, unfortunately, precluded the possibility of sighting St. Matthew the evening of the 5th. Therefore, not knowing how long this weather might last, at 6.30 p. m., August 5, when within 30 miles of the island, the course was changed to SW. by S., mag. Weather overcast, foggy, and rainy; unable to see half a mile; irregular and rough sea.

At 8 a. m., August 6, changed course to E. mag., in order to more fully intersect this quadrant and to pick up again the presence of seals and sealers. The 7th and 8th were passed in cruising in the sealing belt between 60 and 100 miles from the Pribilofs in the northwest quadrant. One day of practical sealing weather was experienced, and with favorable results. A perfectly calm day with light airs, not sufficient to cause an appreciable ripple on the surface, which would disturb sleeping seals. A fog bank of moderate density, limiting the visible range to half a mile, hung low over the water. The engines were stopped for an hour and a half in order that the vibrating sound of the propellers should not be transmitted so as to disturb the seals. With the ship in this passive condition, soundings were taken in 61 fathoms; hand lines were put over, and numerous cod were caught. A boat was lowered and sent out with the camera to pull quietly with muffled oars about the ship, within a radius of half a mile. Over 30 seals were counted asleep in different places by the boat's crew, and photographs were taken of six separate groups of seals, which were approached close to by the boat without being disturbed. In the meantime numerous seals appeared round the ship within a few feet, playing and jumping in the water. Others would turn on their backs and go to sleep. Over 50 seals were counted in this short interval of time within a short distance of the ship; whereas with the ship under way only one or two would have been seen, as the driving of the ship and the beating of the propellers frighten them; consequently they dive and swim rapidly away.

The 9th was ushered in with approaching bad weather, which ended in a moderate gale with rough sea from the southward and eastward, compelling a change of course to E. by S., mag., in order that we might be within a steaming radius of Unalaska should this prove to be a gale of long duration, as was apparently indicated at first by a rapid fall in the barometer and a heavy cross swell from the southward and westward. It moderated, however, on the 10th, when the *Albatross* was headed to the northward and westward to return to the northwest quadrant. A distance of 61 miles was steamed on a NW. by W. ½ W., mag., course, to the margin of the 60-mile zone, with St. George bearing E. by N., mag., in order to intercept any sealers which might venture to take chances in close proximity to the 60-mile limit. The weather being fairly clear, we were enabled to make observations within 8 or 10 miles. No sealers, however, were found in this locality; hence, at 5 p. m., the course was changed to WSW. ½ W., mag., in order to make an offing of 28 miles in the sealing belt from the 60-mile limit; then to follow such a course as would traverse the northwest and southwest quadrants on return to Dutch Harbor, at an average distance of 12 to 15 miles from the limit.

The morning of the 10th at 5 a. m. large schools of seals were passed through in the southwest quadrant, with St. George bearing NE., mag. At 8 a. m. we sighted the sealer *Mascot*, of Victoria, British Columbia, which had all boats out within a radius of 5 miles. We picked up and inspected his boats, which had been out since 5 a. m., with one seal only caught. The schooner was then overhauled and boarded, the result of which is embodied in the Boarding Record. From observations which we made he was located 13 miles outside of the 60-mile limit. During the afternoon watch over 200 seals were counted, some sleeping and others playing and jumping. This is evidently a good sealing belt, but few sealers, however, appear to have reached this locality; otherwise, they are farther away from the 60-mile zone. I have no doubt many stood off when the blow came on from the southward in order not to take chances too near the limiting circle. I am of the opinion, however, that in pleasant weather, when the sealers are sure of their longitude, in the northwest quadrant especially, and of their latitude in the southwest quadrant, they will cruise close to the limit in order to catch the seals in schools as they come out from the rookeries and begin to scatter outside in search of food; likewise, the advantage in concentrating as they return from remote distances to enter the prohibited zone.

The run was made to Dutch Harbor without further events of interest, where we anchored at 3 p. m., August 11, having steamed 2,032.8 miles since our departure from Unalaska.

The following papers, records, etc., are hereto appended: Track chart from July 30 to August 11, 1894, inclusive; table of meridian positions, intermediate positions where course was changed, and daily distances steamed per log; boarding record; sounding record; record of fur seals observed; diagram of profile of the Bering Sea bed from St. Paul Island toward Siberian coast.

Very respectfully,
F. J. DRAKE,
Lieutenant-Commander, U. S. N., Commanding.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea,
Dutch Harbor, Unalaska.

NAVY DEPARTMENT,
Washington, D. C., September, 26, 1894.

SIR: The commanding officer of the United States naval force in Bering Sea, under date of August 21, has informed this Department that in case the *Rush* does not arrive by the middle of September he will retain the *Corwin* in Bering Sea until the 1st of October.

The Department's original instructions were that the *Corwin* should leave Bering Sea for San Francisco on or about the 15th instant.

Very respectfully,
H. A. HERBERT,
Secretary.

The SECRETARY OF THE TREASURY.

NAVY DEPARTMENT,
Washington, D. C., September 26, 1894.

SIR: I have the honor to transmit herewith, for your information, a copy of a letter dated August 1, 1894, from the commanding officer of the United States naval force in Bering Sea, by which this Department is informed that he has granted licenses to carry shotguns to four schooners, which have legally cleared from Unalaska for the purpose of hunting sea otter.

Very respectfully,
H. A. HERBERT,
Secretary.

The SECRETARY OF THE TREASURY.

[Inclosure—Confidential.]

No. 186.]
U. S. S. MOHICAN (THIRD RATE),
Dutch Harbor, Alaska, August 1, 1894.

SIR: I have the honor to inclose herewith a copy of the license given to vessels fitted out at Unalaska and carying native otter hunters.

As attempts will probably be made to prove that the rules governing the use of firearms were set aside in the cases of the four schooners given this form of license, the following is submitted for the information of the Department:

Paragraph 18, Department's confidential instructions, dated May 4, 1894, directs that vessels coming under the above head are not to be molested.

In the President's proclamation the clauses relating to firearms forbid their use in fur-seal fishing only.

In the Treasury Department's circular, quoted in the confidential instructions, dated May 4, the only restrictions imposed upon the natives in hunting sea otter is in the use of nets.

As the order requiring that arms shall be sealed has been applied to all vessels that cruise in Bering Sea, mainly because it was known that whalers engage in sealing when not lowering for whales, I at first determined to forbid the use of firearms to otter hunters, but upon the representations of the collector of the port of Unalaska, and of others well informed with regard to the natives and their condition, that the sea otter was now so difficult to hunt that such restrictions would deprive them of their principal means of support, and that the trading companies would cease to furnish them in advance with stores and provisions when there was no chance of profits in the future, I decided to allow firearms to be carried, but with the conditions provided for in the form of license inclosed.

Very respectfully, C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

The SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Unalaska, Alaska, June 7, 1894.

SIR: Having legally cleared from Unalaska for the purpose of hunting sea otter, you are hereby authorized to carry shotguns for the use of the native hunters on board, and for them alone.

Should these or any other arms or implements you may have or may take on board be used for the purpose of hunting fur seals, or should any skins or bodies of fur seals be found on board, your vessel will be seized.

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

These licenses were given to E. Lee, master of schooner *Olga;* Charles Poole, master of schooner *Hunter;* Charles Rainford, master of schooner *Everett Hayes;* Bron Benson, master of schooner *Emma.*

NAVY DEPARTMENT,
Washington, D. C., September 26, 1894.

SIR: I have to inform you that your Circular Letters to Commanding Officers Nos. 21 and 22, dated July 24, 1894, and your Circular Letter No. 23, dated July 26, 1894, are approved by the Department.

Very respectfully, H. A. HERBERT,
Secretary.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea,
U. S. S. Mohican, care Navy Pay Office, San Francisco, Cal.

NAVY DEPARTMENT, BUREAU OF NAVIGATION,
September 27, 1894.

SIR: I have to inform you that the Department has this date detached the U. S. S. *Yorktown* from temporary duty with the force under your command.

Very respectfully,
F. M. RAMSAY,
Chief of Bureau.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea,
U. S. S. Mohican (care Navy Pay Office), San Francisco, Cal.

NAVY DEPARTMENT,
Washington, D. C., October 3, 1894.

SIR: I have the honor to transmit herewith, for your information, copy of extracts from a report, dated August 16, 1894, made by the commanding officer of the U. S. S. *Ranger* to the commanding officer of the Bering Sea fleet.

Attention is respectfully invited to the statement that certain British Columbia Indians have been granted permission by the governor of Alaska to hunt anywhere in the Territory of which he is the executive.

The portions of the report which have been omitted do not refer to any action taken by the commanding officer of the *Ranger* in enforcing the provisions of the Bering Sea award.

Very respectfully, your obedient servant,
H. A. HERBERT,
Secretary.

The SECRETARY OF STATE.

[Inclosure.]

U. S. S. RANGER (THIRD RATE),
Dutch Harbor, Alaska, August 16, 1894.

SIR: I have the honor to submit the following report of the operations of the vessel under my command since report dated July 25, 1894:

Finished coaling ship and hauled off from dock at Sitka, Alaska, at 8.22 p. m., July 26, anchoring at east anchorage at 8.44. Weather overcast, cloudy, and drizzly all day, becoming very thick in the evening. Expected to get under way at 6 a. m. the 27th, but owing to dense fog and mist was unable to do so until 11.20 a. m., the weather at that time being overcast, cloudy, foggy, and rainy. Stood out of Sitka Harbor by eastern channel, taking departure from St. Lazario Island at 1.50 p. m., SW. ½ W. course, Sitka Point bearing abeam at 2.27, distant 2¼ miles. At 2.32 p. m. changed course to WSW., and continued on this course until 3.10 a. m. July 28, when changed to N. by W. ¼ W. Weather overcast and cloudy until 2 a. m., when it was overcast, cloudy, and rainy. Passing showers from 7 a. m. until 7 p. m. At 10 changed course to NNW. ¼ W.; continued on this course until 12.17 p. m., when changed to N. by W. ½ W.; at 2.40 to NW. ¼ N., at 3.03 to NW., and at 4.13 to SW. by S., continuing on this course until 1.50 a. m., July 29, when changed to NNW. Blue sky and clouds from 7 p. m., 28th, until 9 p. m. of the 29th. Continued on NNW. course until 9.04 a. m., July 29, when I changed to NW. by N., standing in for Yakutat Bay.

At 12.41 p. m. anchored in Yakutat Harbor off the village in 16½ fathoms of water. Found the British steamer *Thistle* at anchor and sent a boarding officer to her, who ascertained that she had been chartered by the British Boundary Commission. I visited the village and was informed through the Swedish Mission that the *Jayhawker* was supposed to be at the head of Cook Inlet, and that her master had not been seen about Yakutat for a year. Through the same source I was informed that last year a schooner was engaged in selling rum to the Indians at Dry Bay. I was unable to obtain the name of this schooner, but was informed that she had not been there this season.

Mr. Beasley, who has a store at Yakutat, and is the agent of a firm at Sitka, informed me that six large war canoes came up to Yakutat from Port Chester to hunt sea otter, with 24 men and 2 women; three of these canoes and 15 men, including the "boss," came from Port Simpson, British Columbia. They caught 12 sea otter; came about June 1 and left for Juneau July 19. They hunted sea otter off Lituya Bay and at Icy Bay. He stated that one of the men was wounded, and they left to take him home. The *Queen* arrived at Sitka the morning that I left there, and had a party of Indians on board who had been hunting sea otter, one of whom had been wounded and died; his body was stowed in one of their canoes on board. I presume they were the same Indians referred to by Mr. Beasley. Mr. Beasley also informed me that the British Columbia Indians are encroaching on the hunting grounds of the Yakutats and other tribes of Indians, and anticipates trouble if they return for the same purpose next season, which he says they stated they intended doing. He also stated that the "boss" of these Indians had a letter from the governor of Alaska giving them permission to hunt anywhere in Alaska.

Got under way and left Yakutat Harbor at 7.38 p. m., July 29, taking departure at 8.20 p. m. from Ocean Cape, bearing SE. by E., distant 2½ miles; set course SW. by S. until 7.30 a. m., July 30, when I changed to NW. by W. ½ W. and at 8.30 to WNW. ½ W., crossing the charted position of Pamplona Reef at 9.30, reported by the schooner *Jane Gray* in 1892. Saw no evidence of shoal water; took two casts of lead with sounding machine, allowing 200 fathoms of wire to run out, ship going slow, and found no bottom. At 9.47 changed course to NW. by W. ½ W. The position of this shoal was located by observation, it being a fine, clear morning. At 11 a. m., sighting a smooth spot on the water ahead, changed course one point to starboard and stopped engines. At 11.25 lowered a boat to make examination of the spot; found no indications of shoal water or rocks, making several soundings with 40 fathoms line out, no bottom. Boat having returned, at 11.43 went ahead on course until 5.05 p. m., when changed to NW. ½ W., sighting Cape Suckling. At 5.23 changed course to S. by W. and at 8.02 to SW. by S. Weather clear; continued on this course until 2.07 a. m., July 31, when changed to W. ¾ S. and at 3.04 a. m. sighted Middleton Island, bearing NW.; rounded the south end of Middleton Island and at 3.50 stood NW. for Seal Rocks off Port Etches, arriving at the anchorage in the Bay of Port Etches at 12.55 p. m. July 31, and anchoring. Found no vessels in the harbor. I visited the village and found the priest had left a few days before to make a tour of the Indian settlements around the shores of Prince William Sound. The Alaska Commercial Company's agent here informed me there had been no sealing vessels in Port Etches since the *Olga* left. He stated that he was the owner of her, and that she had been boarded in the early part of the season by the U. S. S. *Adams*, and her sealing implements placed under seal; at present she was in Unalaska, expecting to seal in Bering Sea after the 1st of August.

At 7.20 p. m., July 31, got under way and stood out of the harbor of Port Etches, passing Seal Rocks at 9.21, distant $2\frac{4}{16}$ miles. At 9.39 set course SSE. At 11.55 changed to S. ½ W., and continued on this course until 2.50 a. m., August 1, when changed to SW. ¼ W., and at 12.30 p. m. to SW. by W. ½ W. At 3.20 p. m. sighted the Barren Islands one point on port bow. At 4.30 changed course to SW. ½ W., at 5.58 to SSW.; continued on this course until 7.17 p. m., when I commenced to look for shoal reported by the *Yorktown*, off Barren Islands. Finding no indications of the shoal, but observing very strong tide rips, at 9.51 p. m. set course for the night ESE., continuing on this course until 1.58 a. m., August 2, when changed to N. ¼ W. and at 4.22 to W. ¾ S. Fine weather until 10 a. m. of the 2d, when fog set in. At 8.40 a. m., August 2, lowered first and second whale boats to try and locate reef; at 10.35 fog closed in and the boats returned without locating it. At 11.29 set course S. by E. ¼ E., and at 1.28 p. m. changed to W. ¾ N., fog continuing but lifting at times for short intervals. At 3.06 p. m. changed to east, slowing engines at 3.45. From 4 to 6 ship passing through numerous heavy tide rips, and at 4.43 made out Barren Islands on port beam, distant 1½ miles. Fog shutting out the islands, continued on east course until 2 a. m., August 3, when changed to NNW. ¾ W.; foggy and misty; at 4.22 changed to WSW. ¾ W.; dense fog. Continued on this course until 9 a. m., when changed to W. by N.; foggy and misty. At 11 a. m. changed course to E. by S., and at 8.06 p. m. to NE. by E. ½ E. Fog lifted at 9 p. m.; weather overcast and cloudy. At 11.40 p. m. changed course to NW. by W. ½ W. At 11.25 p. m. heard the roaring of seal on the starboard beam. Fog settled down again at 3.50 a. m., August 4, becoming very dense and continuing so. At 3.13 a. m., August 4, changed course to W. ¾ S.

Your instructions up to this point, since leaving Sitka, have been carried out by "zigzagging" across the fair weather ground, and thence to the southward of Middleton Island to Port Etches, and thence to the Barren Island and on the Portlock Bank.

Continued on W. ¾ S. course until 11.13 a. m., August 4, when changed to SW. by W. at 11.35 sighted land on the starboard bow. At 11.40 stopped engines and at 11.50 anchored with stream anchor in 45 fathoms water. The point of land seen under the fog from anchorage bore NW. by W. and was shut in at 12.15 p. m. by the fog. Fog lifting at 5.30 p. m. found point of land to be Sugar Loaf Islet, near Amatuli Island. At 5.35 spread fires and at 6 got under way. At 6.15 sighted a small sloop coming around eastern end of Amatuli Island; stopped engines and boarded her. She proved to be the American sloop *Parole*, bound for Wood Island. At 8.23 went ahead, standing through passage along south side of Barren Islands, setting course at 9.50 WSW.; continued on this course until 12.42 a. m., August 5, when changed to NNW., and at 3.20 a. m. to north. Clear, fine weather. At 5.40 a. m. changed to NE. by E., standing in for Kachemak Bay; at 7.37 sighted a schooner off Chesloknu Bay, which proved to be the *Ethel;* also another schooner at anchor in the bay, which proved to be the *Alice* of Laconner; both of these schooners were boarded and found to be engaged in carrying coal from Coal Bay to St. Paul, Kadiak Island, to which place they belonged. Stood on up the bay, and at 12.10 sent an officer to board a trapper's boat off Nubble Point. At 2.10 p. m. headed up Kachemak Bay for Coal Bay, coming to anchor there at 3.15 p. m. I visited the shore and found a gentleman by the name of Mr. Bradley, representing the Alaska Coal Company and from whom I obtained full particulars regarding the steam schooner *Jayhawker*, which is supposed to be somewhere about the headwaters of Prince William Sound. Regarding the sea otter hunters breaking their seals I found no sea otter hunters in Kachemak Bay. Mr. Bradley informed me that there had been but three sea otter taken this season, so far as he had any knowledge. He also stated that the rival fur companies were both giving the Indians liberal credit at their stores, with the result that the Indians were doing very little hunting. It was gleaned from the trapper above referred to, and who Mr. Bradley knew well, that the white men who were engaged in sea otter hunting surreptitiously, would, when sighting a man-of-war, haul up their canoes and disappear in the brush until she had left. Mr. Bradley stated that there were no white men at present about Coal Bay, they having all gone to the head of Cook Inlet, where rich gold placers were reported to have been recently discovered.

At 12.20 p. m., August 6, spread fires, getting under way at 1.30 p. m., and stood out of Coal Bay and along the shore of the Kenai Peninsula; sighted a schooner off Dangerous Cape, which proved to be the *Ethel*. The weather was fine, and I stood close enough to shore to see into the bottoms of all the bays and inlets of this peninsula, as far as Port Chatham, when I laid course across passage between Cape Elizabeth and the Barren Islands, running a line of soundings across this passage; made another attempt to locate the shoal reported by the *Yorktown*, standing off during the night and returning the morning of the 7th for the same purpose. A full report of the search for this shoal will be forwarded. At 11.15 a. m., August 7, not having found the shoal, set course SW., and at 11.38 SE. by S. for St.Paul, Kadiak Island, anchoring in St. Paul roadstead at 8.20 p. m. Found the schooner *Matinee* of Sitka at anchor, boarded and warned her. Dense fog set in at 7 a. m., August 8, which continued until noon, when it became overcast, foggy, and misty. In the afternoon I communicated with the deputy collector of the port of St. Paul. He informed me that complaints had been made to him for some time past that the schooner *Seventy-Six* was engaged in sea otter hunting in the vicinity of the Trinity Islands and Alitak Bay; these complaints, he stated, came from the natives who are engaged in sea otter hunting in that locality. He also informed me that this schooner had left St. Paul about two months ago, where, he stated, she was owned, and without taking out any papers. I therefore considered that, under your general instructions, I would be justified in looking about the Trinities and Alitak Bay for this schooner. I was also informed by him that the schooner *Olga* was suspected of being engaged in the same business in the vicinity of these islands.

The fog lifting somewhat, at 6 p. m. made preparations for getting under way; at 7.10 got under way, and stood out of St. Paul roadstead, taking departure from the outer Hump Back at 8.20 and setting course east. At 11.30 changed course to south, and at 2.04 a. m., August 9, to SSW. ½ W., running down over the middle of Albatross Bank, parallel to the Island of Kadiak, until 8.30 a. m., when I changed course to SW. and at 9.11 to WSW. and at 10.48 to SSW., running line of soundings from this point around the Trinities and within plain seeing distance of the shore of these islands, the day being fine and clear, finally anchoring in the mouth of Alitak Bay at 9.42 p. m., in 9½ fathoms of water. On the morning of August 10 the steam cutter was sent in charge of Lieutenant Sherman to inspect the inlets around the head of the bay, returning to the ship at 3.35 p. m. During the trip up the bay Lieutenant Sherman boarded the steam tug *Alert* and the bark *Marguerite*, both of San Francisco. The sloop *Chicago* came into the bay during the afternoon and was boarded. These were the only vessels or boats that were seen in the vicinity of Alitak Bay or the Trinity Islands.

At 6.52 p. m., August 10, got under way, and set course for passage between the islands of Chirikof and the Semidis, noting on the boarding lists that the schooner *Seventy-Six* had been boarded in Alitak Bay June 14 by the *Concord*, and in the vicinity of Chirikof June 24 by the *Yorktown*. I was also informed at Alitak Bay that during this calm weather the otter were off in the sea, and the schooners follow them. The morning of the 11th, at 9, changed course to W. ¾ S.; weather being clear I had still some hopes of seeing them. Continued on this course until 5 p. m., August 11, when I changed to SE. at 2.45 p. m., and at 3.12 p. m. of this date saw seal, apparently asleep in the water. Continued on this course until 6.30 a. m., August 12, when I changed to W. by N., weather continuing clear. At 3.14 p. m. changed to W. ¼ N., and at 10 p. m. to S. by E. ½ E. At 6.22 a. m., August 13, changed course to NW. by W. ¼ W.; weather overcast, cloudy, and drizzly; continuing on this course until 1.06 p. m., when I changed to S. by W., and at 7.10 to SSW. Weather at 9 p. m. overcast, cloudy, squally, and misty, with indications of bad weather. Barometer falling, force of wind 5 to 6 from SE. by S., accompanied by rough sea and all indications of a southeaster. Wind and sea increasing at 10.28, changed course to SW. by S., and at 11.30 to SW.; force of wind 5 to 7. At 12.30 a. m., 14th, changed course to SW. by W., and at 1 a. m. to WSW., and at 3 a. m. to W. ½ S. Wind moderating at 1 a. m. in squalls, and shifting to S. by W. and SW., force 3 to 5, and at 4 a. m. to west, force 5 to 7. At 6 a. m. to W. by N., increasing at 7 a. m. to a force of 8 to 9, from WNW. At 9 a. m., force 7 to 9, and continuing until 1 p. m., when wind shifted to west with a force of 6 to 8. At 2 to W. by S., force 6 to 7, hauling at 3 to west, force 5 to 7, when it began to moderate with a force of 4 to 6, until 9 a. m., when it shifted to W. by N., force 6 to 8, blowing in squalls from WSW. at 10, with a force of 8 to 3, and at 11 a. m. from W. by N., force 3 to 6. The lowest barometer experienced during this cyclone was 29.06, which was from 3 to 4 a. m., August 14, with wind from SW., with a force of 3 to 5. Barometer commenced to rise at 5 a. m., and continued to rise steadily until the gale blew out, at 11 p. m., from W. by N., barometer 29.54.

During this gale the ship was hove to under steam, with storm mizzen. At 2 p. m., ship heading W. by N., which course carried her up to Unalgo Pass. Weather clearing at noon, August 14.

Sighted Egg Island at 4.30 a. m., August 15; stood through pass and into Dutch Harbor, anchoring there at 9.51 a. m., August 15.

Owing to the gale coming on during the afternoon and evening of the 13th, I was unable to arrive at Unalaska, as specified in your instructions.

The courses given in this report are those shown by the ship's log. Inclosure No. 1, with tracing, gives the distance made good, and shows the ground actually covered by the ship over each course.

Inclosure No. 2 contains a detailed list of all vessels boarded and warned during the cruise.

Very respectfully,

E. LONGNECKER,
Commander, U. S. N., Commanding.

The COMMANDING OFFICER U. S. NAVAL FORCES,
Bering Sea.

No. 236.] U. S. S. MOHICAN (THIRD RATE),
At Sea (lat. 54° 45′ N., long. 134° 00′ W.), October 4, 1894.

SIR: I have the honor to submit the following report upon the operations of the Bering Sea fleet during the season just ended:

Of the ships assembled at Port Townsend when the Department's order to sail was received, viz, the *Mohican*, *Yorktown*, *Adams*, *Alert*, *Albatross*, and *Corwin*, the *Albatross* proceeded direct to Unalaska, with instructions for the *Concord* and *Petrel*, expected from the Asiatic station, and from that port to the island of Attu, where an officer authorized to license sealing vessels coming from the Siberian coast was landed. The *Yorktown* sailed for the Shumagin Islands and then cruised between the passes and Kadiak Island, with the view of intercepting the advanced vessels of the sealing fleet. The *Corwin* followed the shore line of Alaska as far to the westward as her coal supply would permit, and the *Mohican*, *Adams*, and *Alert* steamed on lines parallel to the coast and distant from each other about 30 miles. All of these vessels except the *Albatross* and *Alert* (the latter keeping on the track of the seal herd until Unalaska was reached) returned one or more times to Sitka for coal, and continued cruising in the Gulf of Alaska or along the shores and among the islands to the westward until the time when the last of the seal herd is supposed to have entered Bering Sea.

The *Ranger*, arriving at Port Townsend after the fleet had sailed, cruised well offshore, in accordance with her instructions, coaled once at Sitka, and then proceeded to Unalaska. The *Concord* and *Petrel*, assisted by the *Albatross*, after her return from Attu, guarded the Passes and the Pribilof Islands, and cruised in Bering Sea or outside the Passes, in the track of the seal herd. The *Concord* went as far east as Kadiak Island and landed an observation party at Alitak Bay, which was afterwards taken off by the *Yorktown*. The *Petrel* and *Albatross* searched among the islands to the westward of Unalaska for the missing boat's crew of the wrecked *Jane Allen*.

Early in July it became evident the number of sealing vessels that had followed the herd was not as great as had been reported, or that they had returned to home ports to await the opening of the sea, on the 1st of August. It was possible that a few had entered any of the numerous inlets along the coast, where they might hope to hunt sea otter without being detected, and therefore our vessels were employed during the remainder of July in examining the shores and outlying islands as well as in patrolling the sea. A number of the survivors of the whaling bark already referred to having been found on the island of Umnak in a deplorable condition, the *Concord* and *Corwin* made a careful examination of the islands to the westward that had not been visited by the *Petrel* and *Albatross*, but no signs of a boat's crew that was still missing were discovered.

During the last few days of July the licensed vessels of the sealing fleet began to arrive in the sea, and the force stationed at the Pribilof Islands was increased to four vessels, the *Concord*, *Adams*, *Petrel*, and *Alert*, as in addition to the duty of guarding the rookeries, the prohibited zone surrounding the islands was to be patrolled. The *Albatross* was relieved of this duty and allowed to cruise where she could combine the work of the patrol with that of making the investigations to be carried on under the direction of the Fish Commission. The *Yorktown* went as far north as St. Matthews Island, the *Ranger* as far east as Sitka, and the *Corwin* as far west as Attu, and each of those vessels as she returned to Unalaska and coaled was to take the place of one of those patrolling the prohibited zone. The latter upon being relieved was to cruise in some specified part of the sea until obliged to return to Unalaska for coal.

On the 18th of August, the *Adams* having been ashore on the Island of St. Paul, was, in consequence of statements made and reports submitted upon her condition, sent to Puget Sound. The *Yorktown* towed her as far as Sitka and returned to Unalaska September 6. The *Petrel* sailed on the 18th and the *Concord* on the 22d of August for Yokohama, both vessels having been ordered back to the Asiatic station. In consequence of this reduction in the force, two vessels were stationed at the Pribilofs, but with orders to cruise alternately in the vicinity of the 60-mile limit. The remaining vessels of the fleet patrolled the sea, boarding and overhauling sealers and occasionally skirting the prohibited zone. On the 25th of August the *Ranger* arrived at Attu, took on board the officer stationed there and returned to Unalaska.

On the 15th of September, the *Yorktown* and *Alert*, and on the 20th the *Albatross*, sailed for San Francisco, in compliance with the Department's orders dated July 7, 1894, the latter vessel via Sitka and Port Townsend. On the 21st, the revenue steamer *Bear* arrived at Unalaska and joined the Bering Sea fleet. Her commanding officer was directed to land an officer and a boat's crew on the Island of St. Paul, to assume the duty of patrolling the Bering Sea upon the departure of the *Mohican*, and to take on board the officers and men left on the Pribilofs in time to sail for San Francisco not later than the 1st of November. On the 25th of September the *Corwin* arrived at Unalaska, having left an officer and four men on the Island of St. George; was ordered to coal and proceed to San Francisco. On the 26th, the *Mohican* and *Ranger* sailed for San Francisco, and in consequence of the injury to the *Mohican's* propeller, in company, until an offing was gained outside Unalga Pass, when the *Ranger* was signaled to proceed on her way.

The following table shows the number of miles cruised by the different vessels:

Name of vessel.	In Bering Sea or Alaskan waters.	Before arriving in and after leaving same.	Total.
Mohican	7,213	3,791	11,004
Concord[1]	8,132	4,600	12,732
Yorktown	10,475	4,413	14,888
Ranger	11,698	3,671	15,369
Adams	7,073	6,210	13,283
Alert	5,247	3,763	9,010
Petrel	5,824	6,490	12,314
Albatross[2]	11,931	4,616	16,547
Corwin	9,977	3,639	13,616
Bear[3]	3,663	7,854	12,517
Total	81,233	49,047	131,280

[1] Detached in August.
[2] No guard duty at the Pribilof Islands.
[3] In the Arctic nearly three months.

Forty-five sealing vessels, whalers, and others with appliances for sealing on board, were boarded and examined during the time that the herd was moving toward the Passes, and thirty were boarded in Bering Sea after it was opened in accordance with the conditions of the award. The greater number of these vessels were boarded repeatedly by different cruisers. There is no record of any vessel that started north for the purpose of sealing and did not cross over to the Siberian coast that was not boarded, and all of those cleared from ports of the United States and British Columbia, with licenses for sealing in Bering Sea, after July 31, were overhauled with one exception (the *Labrador*), and it is doubtful if she entered the sea. Four of the twelve licensed at Attu were never fallen in with, and it is probable that they kept well to the westward or left for home early in the season.

These facts taken in connection with the distances run, as shown by the table, will, I believe, be accepted as proofs of the efficiency of the patrol. With regard to these distances, it should be remembered that much of the time the vessels were guarding the Pribilof Islands, and as the anchorages are exposed, this duty was hardly less arduous than that of cruising. The reports of the commanding officers, forwarded regularly to the Department, tell how persistently they kept the sea, and it would show a want of appreciation on my part, to say the least, if I did not attempt to express my convictions as to the nature of the service rendered by them and by the officers and men under their commands. Gales and fogs following each other almost without cessation, allowed little respite from discomfort or anxiety. Guarding the Passes, coasting the shores, or returning to port for coal, the navigator, the officer of the deck, and the lookouts, as well as the commanding officer, realized that a glimpse of the surf line or an echo from the cliffs, might be their only warning of an approach to a precipitous shore, and all on board knew that this season shipwrecked men had here been driven to canibalism, and this, too, with arms in their possession, and on one of the few islands of the Aleutian chain where the natives have managed to exist. To stop the ship would only serve to increase the risks, as the dense fog might last for days and the currents sweep her on until all knowledge of the position and of surrounding dangers was lost.

Nothing could be finer than the spirit shown by the commanding officers, whether they were actuated by a high sense of duty or a desire for the Department's approbation, or whether it was in some cases the result of examples set by others. When a ship had just been through a gale, or been coasting a dangerous shore in thick weather, and the not uncommon remark had been made by the commanding officer, "I was anxious, of course, and remained for thirty-six hours on the bridge," or, "I never took my storm clothes off for four days," the consideration looked for was perhaps the right to go alongside the coal wharf first. As an evidence of the spirit of generous emulation that existed, I take pleasure in recording the sentiment of one of the juniors, when some service like that of following small craft who might have retreated behind the reefs and shoals surrounding the Sannak Islands was under consideration, that the only favor he asked was that he be kept in mind as ready for any duty so bad that no other officer wanted it. It should here be stated that in speaking of commanding officers I have reference also to Captain Munger, United States Revenue Service, and to Lieutenant Coffin, who for a time commanded the *Alert*. Captain Healy, United States Revenue Service, reported only a few days before I left the Bering Sea, but his reputation is too well established to require favorable comment here. This might be properly said of Commanders Goodrich, Folger, and Longnecker, and Lieutenant Commodores Emory and Drake, but having been closely associated with them, where I had the best of opportunities to judge of their characters, I can justly record my belief that in times of emergency they could be depended upon to do their whole duty, and, that given the opportunity, they will achieve honors for themselves and add to those already won for the Navy.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Forces in Bering Sea.

The SECRETARY OF THE NAVY.

No. 237.] U. S. S. MOHICAN (THIRD RATE),
At Sea (lat. 42° 30′ N., long. 130° 30′ W.), October 5, 1894.

SIR: I have the honor to submit for the consideration of the Department a few notes upon subjects pertaining to the patrol of the Bering Sea, as some of them might contain information that will be acceptable when orders are being prepared for the fleet next year.

There was no disposition on the part of sealers to enter the prohibited zone surrounding the Pribilof Islands, and there is not likely to be in the future, as the seals leaving the islands for food generally go beyond the 60-mile limit. In fact, the sealer is careful not to approach the limit closely on account of the risk of seizure. They venture nearer to it on the northern and southern portions of the curve, as observations for latitude can be had occasionally and the relative position ascertained.

If the order forbidding the use of firearms and explosives is held to include the signal cannon and powder for charges, the owners and masters of sealing vessels will not be materially interfered with until the ignorant native hunters, who are sent out in the canoes, have learned that their lives are being put in jeopardy. Some sealing vessels have as many as twenty boats and canoes, and they sometimes pull or sail in pursuit of seals until the vessel is out of sight. When the fog shuts down, they depend upon the signal gun to find the vessel. They are often picked up by other sealers, and this season one boat reached St. George and another Unalaska, with the men in a starving condition. Probably the owners suffer very little, financially or otherwise, when boats are lost.

If whaling vessels are not overhauled occasionally, and the restrictions in regard to firearms rigidly enforced (exception being made, of course, for those used regularly in whaling), the door is open for illegal sealing on a large scale.

It has become a custom for our vessels to cruise in Bering Sea without showing lights or using fog signals, but it is a question whether the slight advance that is made toward efficiency warrants our subjecting whaling vessels, our own cruisers, or even sealers to the additional risk of collision and disaster. So long as it is left to the commanding officer of the fleet he will hardly make a change in the face of precedents. If sealing vessels were required to show a bright light at the masthead, or one at each masthead, from sunset to sunrise, as well as a distinctive flag by day, they would the more surely be deprived of any of the advantages the darkness is supposed to afford them. These, practically, can amount to very little, for a sealer that is missed one night will hardly escape being overhauled very speedily if he remains within the limits of the patrol.

As it is an easy matter to secrete shotguns on board a sealing vessel where they would be overlooked by a boarding officer, and, as cheap firearms, to be dropped overboard if she is to be searched, could be carried, the regulations regarding firearms will no doubt be continually violated. With sealers under our flag a reward for informers, similar to that provided for in the customs laws, would be efficacious, but the fur-seal fishing is now practically a Canadian business. I think, however, that if it were publicly announced that a specified sum would be paid to any person who gave information that would enable a boarding officer to find arms, ammunition, or seal skins with shot marks on board any sealing vessel, whether American or Canadian, no sealer would dare carry firearms. They often have trouble with their crews and hunters, and many would betray them in a spirit of revenge, if assured of a passage home.

If six of the obsolete 12-pounder howitzers now parked at Mare Island with a few charges were landed on the Pribilof Islands to be used as signal guns, one at each village, St. George and St. Paul, and the rest at the distant rookeries, the chances of a raid need never be considered. These guns would also be of great value when the islands are enveloped in fog, as the people on shore could then notify the guard vessel if assistance were needed, and a discharge or two might warn a vessel that was evidently, by the sound of her whistle, heading for the reefs. Watchhouses have been built at different points, and armed guards of natives are posted. The Treasury agents, Messrs. Crowley and Adams, informed me that they considered the islands to be well protected, and that last season the guards were maintained at the rookeries until the winter had set in.

When the dangers are considered to which a vessel is exposed while guarding the passes, owing to the prevalence of dense fogs, the strength of the currents, and the great depth of water, also the inaccessibility of the shores and difficulty of supporting life if a landing is effected, it is a question whether the advantage that a cruiser has in keeping close to them, granting that she succeeds in doing so, is commensurate with the risks run, especially as a vessel that entered the sea unobserved would soon be overhauled if she ventured near the sealing grounds.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval forces in Bering Sea.

The SECRETARY OF THE NAVY.

NAVY DEPARTMENT,
Washington, October 6, 1894.

SIR: Referring to the Department's order of May 4, last, detailing you to command a force of naval vessels and revenue cutters to carry out the provisions of the Bering Sea award, you will, as soon as the final reports of the operations of said force are forwarded to the Department, regard yourself detached from the above-mentioned command, and will report, in person or by letter, to the commander in chief of the Pacific Station for duty in the squadron under his command.

As soon as you have received the final reports of the commanding officers of U. S. ships *Adams*, *Alert*, and *Ranger*, direct these officers to report to the commander in chief of the Pacific Station in the manner indicated for yourself.

Please direct the commanding officers of the *Bear*, *Corwin*, *Rush*, and *Albatross* (if the latter vessel has not preceded you to San Francisco).

to forward, upon their return to the United States, direct to this Department, the final reports of their operations in the Bering Sea. The necessary action will be taken to detach these vessels from duty in connection with the Navy Department when they return to the United States.

Very respectfully, H. A. HERBERT,
Secretary.

Commander C. E. CLARK, U. S. N.,
Commanding U. S. Naval Force in Bering Sea, U. S. S. Mohican.
(Care Navy Pay Office, San Francisco, Cal.)

No. 224.] U. S. S. MOHICAN (THIRD RATE),
Navy-Yard, Mare Island, Cal., October 12, 1894.

SIR: I have the honor to acknowledge the receipt of the Department's letter dated September 25, 1894, and to state that the report and chart required will be forwarded as soon as the different reports from commanding and other officers, and the track charts, can be overhauled and the positions plotted.

The report of operations referred to was prepared at sea, dated October 4, 1894, and forwarded after arrival at San Francisco.

Very respectfully,
C. E. CLARK,
Commander, U. S. N., Commanding.

The SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.

NAVY DEPARTMENT,
Washington, D. C., October 15, 1894.

SIR: I have the honor to inform you that the services of the revenue cutters *Rush*, *Corwin*, and *Bear*, and the Fish Commission steamer *Albatross*, temporarily transferred by your order to this Department, are no longer required for duty in connection with the Bering Sea Squadron, and to request that the inclosed orders, or similar ones, may be issued.

I am, sir, with great respect, W. MCADOO,
Acting Secretary of the Navy.

The PRESIDENT.

EXECUTIVE MANSION,
Washington, D. C., October 15, 1894.

SIR: The services of the revenue cutters *Rush*, *Corwin*, and *Bear* being no longer required by the Navy Department for duty with the Bering Sea Squadron, the Secretary of the Navy has been requested to order the commanding officers of those vessels to report by letter to you for such duty as you may assign them in connection with the Treasury Department.

GROVER CLEVELAND.

The SECRETARY OF THE TREASURY.

EXECUTIVE MANSION,
Washington, D. C., October 15, 1894.

SIR: The services of the United States Fish Commission steamer *Albatross* being no longer required by the Navy Department for duty with the Bering Sea Squadron, the Secretary of the Navy has been requested to order the commanding officer of that vessel to report by letter to you for such duty as you may assign him in connection with the Fish Commission.

GROVER CLEVELAND.

The COMMISSIONER OF FISH AND FISHERIES,
Washington, D. C.

No. 248.] U. S. S. MOHICAN (THIRD RATE),
Navy-Yard, Mare Island, Cal., October 16, 1894.

SIR: I have the honor to acknowledge the receipt of the Department's orders dated October 6, 1894, and to report that I have in obedience thereto reported to the commander in chief of the Pacific station for duty in the squadron under his command.

The commanding officers of the *Alert*, *Ranger*, and *Adams*, having submitted their final cruising reports (copies of which are herewith inclosed), have been ordered to report for the same duty.

The report of operations referred to has already been forwarded to the Department, as explained in letter No. 224, dated October 12, 1894.

Copies of orders sent to the commanding officers of the *Albatross*, *Bear*, and *Corwin* are also inclosed.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

The SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Navy-Yard, Mare Island, Cal., October 15, 1894.

SIR: Please forward direct to the Navy Department a cruising report of the vessel under your command between the date of sailing from Unalaska and that of arriving at San Francisco.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

COMMANDING OFFICER U. S. F. C. S. ALBATROSS.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Navy-Yard, Mare Island, Cal., October 15, 1894.

SIR: Please forward direct to the Navy Department a cruising report of the vessel under your command between the date of sailing from Unalaska and that of arriving at San Francisco.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

COMMANDING OFFICER U. S. REVENUE CUTTER CORWIN.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Navy-Yard, Mare Island, Cal., October 15, 1894.

SIR: Having made the final report of the operations of the vessel under your command in Bering Sea you are hereby directed to report to the commander in chief United States naval force, Pacific station.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

COMMANDING OFFICER U. S. S. ALERT.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Navy-Yard, Mare Island, Cal., October 15, 1894.

SIR: Having made the final report of the operations of the vessel under your command in Bering Sea you are hereby directed to report to the commander in chief, United States naval force, Pacific station.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

COMMANDING OFFICER U. S. S. RANGER.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Navy-Yard, Mare Island, Cal., October 15, 1894.

SIR: Having made the final report of the operations of the vessel under your command in Bering Sea you are hereby directed to report to the commander in chief, United States naval force, Pacific station.

Very respectfully,

C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

COMMANDING OFFICER U. S. S. ADAMS.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Navy-Yard, Mare Island, Cal., October 15, 1894.

SIR: Please forward direct to the Navy Department a cruising report of the vessel under your command from September 26, 1894, until the date of your arrival at San Francisco.

Very respectfully,
C. E. CLARK,
Commander, United States Navy,
Commanding United States Naval Force in Bering Sea.

COMMANDING OFFICER U. S. REVENUE CUTTER BEAR.

[Inclosure.]

U. S. S. RANGER (THIRD RATE),
San Francisco, Cal., October 5, 1894.

SIR: In obedience to your order, dated September 24, 1894, and to your signal at 11 a. m. September 26, 1894, I got under way and stood out of Dutch Harbor, in company with the U. S. S. *Mohican*, and through Unalga Pass until 2.30 p. m., at which time set course for San Francisco, Cal., arriving there on October 5, 1894, and anchoring off Jackson street at 1.35 p. m.

Had fine weather until 2 p. m. September 28, when the wind freshened to a moderate gale from S. by E., the barometer commencing to fall at 8 p. m., the evening before barometer falling to 30.15, the direction of the wind being west. At 7 p. m. the barometer was the highest, being then 30.16. The wind backed, from 10 p. m. of the 27th, and increased slightly, the barometer falling gradually until 11 a. m. September 28, when the wind freshened perceptibly; direction S. by W., barometer 29.95. The center being to the westward, I endeavored to run away from the storm and succeeded in doing so at 11 p. m., steering an E. ¼ S. course; force of wind 5, barometer 29.77.

The weather was overcast, cloudy, and misty at 3 a. m. of the 28th and continued so until 7 a. m., when it became overcast, cloudy, and rainy, continuing so until 1 p. m. of the 28th, when it became overcast, cloudy, rainy, and misty, and continued so until 6 a. m. of the 29th, when it was overcast and cloudy, and at 7 a. m. set in again overcast, cloudy, misty, and foggy, with barometer at 29.72, remaining so until noon, when it commenced to rise 29.74. It commenced to clear at 1 p. m., with drizzling rain at 3 p. m., and finally clearing up at 6 p. m. of the 29th.

At 4.15 p. m. of the 28th sent down topgallant yards, housed topgallant masts, and rigged in flying jib boom, having closereefed topsails and single reefed the foresail and furled them at 11.30 a. m. of the same day.

Continued on an E. ¼ S. course with light winds fidding topgallant masts, crossing topgallant yards, and shaking out the reefs at 5.30 p. m. September 29. Fine weather on the 30th. Changed course to E. ½ S. at 8 a. m. that day, and to E. ¾ S. at 11.48 p. m. Continued on this latter course with fine weather until 9 a. m. October 1, at which time changed course to E. by S., weather becoming overcast, cloudy, with drizzling rain at 10 a. m. At 9 a. m. barometer began to fall, wind increasing slightly in force from E. by S. and veering to SE. at 1 p. m. with a force of 5, the barometer falling, with indications of a gale coming on. At 3.40 sent down topgallant yards, closereefed topsails, single reefed foresail, and furled them. At 5.45 sent down topgallant masts and rigged in flying jib boom, ship lying to under steam. The wind continued in increase in force from SE., force 7 to 9 at 6 p. m. and 6 to 8 at 7 p. m., veering suddenly to SSW. at 8 with force of 5 to 8, barometer at that time 29.71, weather overcast, cloudy, rainy, and squally. Wind commenced to moderate at 10 p. m., direction S. by W., and increased again in force at midnight, wind SSW. at 1 a. m., October 2, force 6 to 8, barometer 29.70, which was the lowest. Barometer commenced to rise at 3 a. m., 29.72, wind 7 to 8, and at 6 a. m. the wind veered to SW. by S., barometer 29.74, weather overcast, cloudy, squally, and misty. At 7 a. m. the wind hauled to SW. and continued so until 7 p. m.

At 8.35 p. m. October 1, set fore storm staysail, fore topmast staysail and clew of main trysail. At 2 a. m., October 2, set fore-topsail closereefed, and hauled out the clew of the spanker, standing on an ESE. ¾ E. course, with rough beam sea, until 9 a. m., when changed course to ESE. ½ E., continuing on this course until 7.25 a. m. October 3, when changed course to ESE. Barometer 30.16; wind 3. At 7 a. m. October 2, hauled out head of main trysail, furled the spanker, and set closereefed main topsail and single reefed foresail, running away from the gale, with heavy beam sea, under the above sail and steam, finally getting away from it at 4 a. m. October 3, the wind continuing from SW. by S. with a force of 5; barometer 30.06 rising rapidly.

At 10 p. m. October 4 weather set in thick and misty. Obliged to slow down, taking in all sail. Clearing at 1 a. m. October 5 until 3 a. m., when a dense fog set in and continued so until 9.40 a. m., when it lifted. At 9.52 made out land ahead and on port bow, Point Reyes. Running slow on account of fog and mist. Sent up topgallant masts, topgallant yards, and rigged out flying jib boom. At 1.35 p. m. came to anchor off Jackson street, San Francisco.

Landed five destitute miners at San Francisco in obedience to your order, informing the Secretary of the Navy of that fact. Reported the arrival of the ship to the Secretary of the Navy and to the commandant of the navy-yard, Mare Island.

Inclosed is the cruising report and the track chart of the cruise.

Very respectfully,

E. LONGNECKER,
Commander, U. S. N., Commanding.

The COMMANDING OFFICER, U. S. NAVAL FORCES,
Bering Sea.

[Inclosure.]

U. S. S. YORKTOWN (THIRD RATE),
Navy-Yard, Mare Island, October 15, 1894.

SIR: In compliance with your instructions of September 14, I have the honor to report that I left Unalaska with the *Yorktown* on the 15th ultimo for San Francisco.

Fine weather and fresh breezes were experienced till off Punta de los Reyes, when the following sea became quite heavy, and the wind increasing, I hove to for about twelve hours on the 22d.

I arrived at San Francisco on the morning of the 24th, and after reporting to the Secretary of the Navy and the commandant of the Mare Island Navy-Yard, received orders to proceed to Mare Island, where I reported the same day.

Very respectfully,
W. M. FOLGER,
Commander, Commanding.

[Inclosure.]

U. S. S. ADAMS (THIRD RATE),
Navy-Yard, Mare Island, Cal., October 15, 1894.

SIR: In obedience to your order of this date, I have the honor to make the following report of the cruise from New Whatcom, Wash., to navy-yard, Mare Island, from September 9 to September 13, inclusive, 1894.

Under telegraphic orders from the honorable Secretary of the Navy, dated September 7, the ship left New Whatcom, Wash., at 1.30 p. m. September 9, 1894, and stood out under steam alone. At 12.35 a. m., September 10, took departure from Cape Flattery Light, and stood on course SSE. $\frac{1}{8}$ E.

Weather was fair, sea smooth, with a light quartering breeze. Wind freshened to stiff breeze on morning of 12th, blowing a moderate gale toward evening. At 6.40 p. m. made ship's number to station on Point Reyes. Stood into the bay and anchored off San Francisco at 10.30 p. m., September 12.

Telegraphed arrival to the honorable Secretary of the Navy, and to commandant of Mare Island Navy-Yard.

Received telegraphic orders on 13th to proceed to navy-yard.

Made fast to buoy at navy-yard at 5.26 p. m., and reported arrival to the commandant.

No new element of weakness developed itself during the passage.

Tracing and data by navigator inclosed.

Very respectfully,
C. F. NORTON,
Lieutenant, United States Navy, Commanding.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea.

[Inclosure.]

U. S. S. ADAMS (THIRD RATE),
New Whatcom, Wash., September 5, 1894.

SIR: I have the honor to submit the following report of the cruise of this vessel from August 27, 1894, to September 5, 1894.

Left Sitka, Alaska, at 6.40 p. m. August 27, 1894, having finished coaling on that day at 4 p. m. August 28, 1894, at 9.30 a. m., passed Point Decision and entered Sumner Straits, anchoring that night at Fort Wrangel, Alaska, at 7.45 p. m.

August 29, left Fort Wrangel at 5.45 a. m. and anchored off customhouse, Mary Island, at 6.25 p. m.

August 30, left Mary Island at 4.45 a. m., anchoring in Stuarts Anchorage, entrance to Grenville Channel, at 3.45 p. m.

August 31, left Stuart's Anchorage at 5.30 a. m.; anchored in Carter Bay, head of Finlayson Channel, at 3.55 p. m.

September 1, left Carter Bay 5.55 a. m.; anchored off Bella Bella. McLaughlin Bay, at 12.05 p. m.

September 2, left Bella Bella 5.20 a. m.; anchored in Alert Bay, head of Johnstons Strait, at 7.15 p. m.

September 3, left Alert Bay 6.35 a. m.; anchored in Plumper Bay, Seymour Narrows, 3.45 p. m.

September 4, left Plumper Bay 8.40 a. m., and anchored in Tucker Bay, Lasquine Island, Sabine Channel, at 5.40 p. m.

September 5, left Tucker Bay 5.15 a. m., and anchored off New Whatcom, Bellingham Bay, Washington, at 3.57 p. m.

I ran only in daylight, coming to anchor in the nearest harbor for thick, rainy, or blowy weather. No new element of weakness has developed during the passage, though we rolled 28° each way in crossing Queen Charlotte Sound.

Leaks have not increased.

Light breezes and calms, except September 1 and 4. Clear in August, rainy and squally in September.

Have telegraphed the Secretary of the Navy as directed. Sent official mail by the *Rush*, leaving Sitka, August 25, 1894.

The pilot, Capt. J. E. Lennan, was cautious and rendered excellent service.

Data of distances and noon position by navigator inclosed.

Very respectfully,

C. F. NORTON,
Lieutenant, United States Navy, Commanding.

Commander C. E. CLARK, U. S. N.,
Commanding United States Naval Force in Bering Sea.

[Inclosure.]

U. S. S. ALERT (THIRD RATE),
Navy-Yard, Mare Island, Cal., October 17, 1894.

SIR: I have the honor to report that, in obedience to your order of September 14, 1894, I left Dutch Harbor, Alaska, at 9.30 a. m. on the 15th with the *Alert* under my command and proceeded to San Francisco, where I anchored at 1.30 a. m. on the 27th.

On leaving Dutch Harbor, the fog having lifted and the tide being favorable, I ran through Unalga Pass, and by 1 p. m. was outside of the Bering Sea.

Experienced, generally speaking, pleasant weather, with moderate to stiff westerly winds. Sail was made when it could be used with advantage.

On the evening of the 19th experienced a heavy irregular sea, which made it advisable to slow down to steerage way and heave to for fourteen hours.

Again, on the afternoon of the 25th, being off Mendocino about 80 miles, the weather was very threatening, with heavy swell from southwest; hove to for four hours, until weather became settled again.

Nothing of importance occurred; sighted only one ship heading up for the sound, and a few coasters on the coast.

A tracing of the track is herewith forwarded, with a position table.

On arrival at San Francisco I telegraped my arrival, as directed in your order, to the honorable Secretary of the Navy and the commandant of this yard, and by the latter I was directed to come to the yard. Arrived here September 28, and I reported to the commander in chief and to the commandant.

On the 8th of this month Commander G. E. Ide reported on board and assumed command on that day.

Very respectfully,
JOHN H. C. COFFIN,
Lieutenant, United States Navy.

COMMANDING OFFICER U. S. NAVAL FORCES IN BERING SEA.

[Telegram.]

NAVY DEPARTMENT,
Washington, D. C., October 20, 1894.

COMMANDING OFFICER STEAMER CORWIN,
San Francisco, Cal.

Services of *Corwin* no longer required by this Department. Report to Secretary Treasury.

H. A. HERBERT,
Secretary Navy.

[Telegram.]

NAVY DEPARTMENT,
Washington, D. C., October 20, 1894.

COMMANDING OFFICER ALBATROSS
(Through Commandant, Mare Island, Cal.).

Services of *Albatross* no longer required by this Department. Report to Fish Commission.

HERBERT.

NAVY DEPARTMENT,
Washington, D. C., October 24, 1894.

SIR: Referring to the Department's letter of the 24th ultimo, I have the honor to transmit herewith a copy of a letter, with inclosures, from the commanding officer of the United States naval force in Bering Sea, reporting fully upon the circumstances attending the warning of the British sealer *Minnie* on the 21st of May last by the commanding officer of the U. S. S. *Adams.*

Under the instructions issued by this Department to the commanding officer of the Bering Sea fleet for the enforcement of the concurrent regulations agreed upon by the Governments of the United States and Great Britain for the protection and preservation of fur seals, the *Minnie* should have been seized.

The extracts quoted from the sealing log of the *Minnie* show that she had been engaged in fur-seal fishing within the area of the award during the period of time in which fur-seal fishing is forbidden.

No orders were issued by this Department requiring or authorizing a license to be issued to a vessel when warned, and steps will be taken to prevent such action hereafter.

Very respectfully, your obedient servant,
H. A. HERBERT,
Secretary.

The SECRETARY OF STATE.

[Inclosure.]

U. S. S. MOHICAN (THIRD RATE),
Navy-Yard, Mare Island, Cal., October 13, 1894.

SIR: As required by the Department's letter dated September 24, 1894, I have the honor to report that the British sealing schooner *Minnie* was boarded and warned on the 21st of May, 1894, by the U. S. S. *Adams*, acting under orders dated May 13, 1894, copies of which have already been forwarded to the Department.

Letter from commanding officer of the *Adams*, dated October 11, 1894, with copies of all communications delivered to the *Minnie*, of the declaration signed, notice of warning given, and extract from the cruising report are herewith inclosed.

Very respectfully,
C. E. CLARK,
Commander, U. S. N., Commanding.

The SECRETARY OF THE NAVY,
Washington, D. C.

[Inclosure.]

U. S. S. ADAMS (THIRD RATE),
Mare Island, Cal., October 11, 1894.

SIR: In compliance with instructions received this morning from the commander in chief, dated October 10, I have the honor to inclose the following information in regard to the British sealing schooner *Minnie*:

1. Extract from cruising report of Commander J. J. Brice, U. S. N., for run from Port Townsend, Wash., to Sitka, Alaska, dated May 26, 1894.
2. Copy of entry in boarding book.
3. Copy of warning.
4. Copy of declaration of master.
5. Copy of license to proceed to home port.

The provisions of paragraphs 3, 4, 5, and 7 of confidential instructions issued by you at Port Townsend, Wash., dated May 13, 1894, were fully carried out, and paragraph 1 in circular letter to Commanding officers, No. 2, of same date.

Very respectfully,
C. F. NORTON,
Lieutenant, U. S. N., Commanding.

Commander C. E. CLARK, U. S. N.
U. S. S. Mohican.

[Inclosure.]

[Extract of cruising report of Commander J. J. Brice, U. S. N., dated May 26, 1894.]

At 4 p. m. on the 21st May, in latitude 56° north, 10′ longitude 138° 50′ west, overhauled the British schooner *Minnie*, 46 tons, master V. Jackobson. Boarded her and found that she had cleared from Victoria March 28. She had on board a crew of 22 all told, of which 16 were Indians, 2 squaws. She was fully equipped for fur-seal fishing and carried 10 boats and 1 dory. She had on board 398 skins salted and 46 fresh.

According to master's report less than 10 per cent of his catch were females. Her last port left was Village Island, April 5. She had not been previously boarded. Served on her a warning and the usual printed matter, also a license to proceed to Victoria. Sealed up all implements for seal fishing as per instructions and made the proper entry in her log.

When overhauled she had boats out sealing, and had on deck 40 bodies of seals, 29 males and 11 females, showing a percentage of female captures of 27.

The following data relative to the daily captures of seals was furnished by the master:

April 13, 24 seals; April 14, 4 seals; April 15, 1 seal; April 18, 1 seal; April 22, 11 seals; April 23, 54 seals; April 28, 1 seal; April 29, 29 seals; May 2, 2 seals; May 3, 3 seals; May 5, 17 seals; May 6, 12 seals; May 7, 24 seals; May 12, 7 seals; May 14, 45 seals; May 15, 49 seals; May 16, 49 seals; May 17, 7 seals; May 18, 34 seals; May 20, 46 seals; May 21, 44 seals.

Her largest capture of 54 seals, April 23, was made in latitude 57° 25′ north, longitude 138° 56′ west, near her position at the time she was overhauled. Since April 23 they had been working to the southward and eastward.

After overhauling, the *Minnie* stood to the northward and westward to 140° 19′ west.

* * * * * * *

J. J. Brice,
Commander, United States Navy, Commanding.

Commander C. E. Clark, U. S. N.,
Commanding United States Naval Forces, Bering Sea.

Note.—The daily catch is a copy from the official sealing log of the *Minnie.*

C. F. Norton,
Lieutenant, United States Navy.

[Inclosure.]

[Copy of boarding book.]

Date, May 21, 1894.

Locality, 56° 10′ N., 138° 50′ W.

Name of vessel and tonnage, schooner *Minnie*, 46 tons; master, Victor Jackobson; owner, Victor Jackobson. Nationality of vessel, British. Port of registry, Victoria, British Columbia. Crew (total), 22 (16 Indians); boats, 10 boats (1 dory); hunters, 10; skins on board, 398 salted, 46 fresh; female seals taken, less than 10 per cent; firearms on board, 22 shotguns, 3 small rifles; nets, ——; spears, 16. Amount of ammunition, 4 kegs of powder, 15 bags of shot. Amount of salt, none left. How many days out, left last port April 5, 1894 (Village Island). Cleared from Victoria March 28. Probable time of return to port, two weeks. Last port visited, Village Island. If previously boarded and by whom, no. Any information of interest, ———. Reggister No. 94806. Number of seal bodies on board, 40.

[Inclosure—Warning.]

U. S. S. ADAMS (THIRD RATE),
Latitude 56° 10′ N., longitude 138° 50 W., May 21, 1894.

You are hereby warned that your vessel will be seized for any violations imposed in the President's proclamation, dated April 9, 1894, in the regulations issued by the President May 4, 1894, or in the British act, copies of each having been furnished you.

J. J. BRICE,
Commander, United States Navy, Commanding.

VICTOR JACKOBSON,
Master Schooner Minnie.

[Inclosure.]

[Declaration to be signed by master of sealing vessels bound to home port and retained by officer granting license.]

AT SEA (*latitude 56° 10′ N., longitude 138° 50′ W.*), *May 21, 1894.*

I, Victor Jackobson, master of the *Minnie*, 46 tons register, register No. 94806, cleared from Victoria, do hereby certify that the firearms, sealing implements, and ammunition, viz, 22 shotguns, 3 small rifles, 16 spears, 4 kegs of powder, 15 bags shot, placed under seal, are all that belong to this vessel or to any person attached to her, and that there are none now away in boats; also that there are now on board in all 444 seal skins and 44 bodies of seals.

And I do further certify that I wish to proceed direct to the port of Victoria, and that I understand the liability and penalties imposed for failure to so proceed, and have received a copy of the President's proclamation, dated April 9, 1894.

VICTOR JACKOBSON,
Master British Schooner Minnie.

[Inclosure.]

[License issued to Victor Jackobson, master of British schooner *Minnie*, to proceed to Victoria British Columbia.]

U. S. S. ADAMS (THIRD RATE),
At Sea (latitude 56° 10′ N., longitude 138° 50′ W.), May 21, 1894.

This is to certify that Victor Jackobson, master of the schooner *Minnie*, 46 tons, register No. 94806, cleared from Victoria with 444 seal skins and 40 bodies of seals on board, has signed a declaration stating that he intends to proceed direct to the port of Victoria, and that I have, in accordance with the requirements of the regulations issued by the President May 4, 1894, secured under seal all arms, ammunition, and sealing implements on board.

And I do further certify that there has been entered upon the log book, under the columns for this date, the number of seal skins, bodies of seals, firearms, nets, and the amount of ammunition and explosives found on board.

The master is hereby licensed to proceed to the above-named port.

J. J. BRICE,
Commander, United States Navy, Commanding.

254.] U. S. S. MOHICAN (THIRD RATE),
Mare Island, Cal., November 2, 1894.

SIR: I have the honor to forward in to-day's mail to the Department track charts showing the cruise of the Bering Sea fleet during the past season. On account of the number of tracks on the western sheet, separate tracings showing the cruise of each vessel were inclosed.

Very respectfully,

C. E. CLARK,
Commander, United States Navy, Commanding.

The SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.

NAVY DEPARTMENT,
Washington, D. C., November 9, 1894.

SIR: I have the honor to transmit herewith, for the information of the Department of State, a copy of a report dated the 27th ultimo, from the commanding officer of the Bering Sea fleet, regarding the progress of the seal herd toward Bering Sea and upon seal life in general.

Copies of the chart referred to in the second paragraph of the inclosed report will be forwarded to the State Department as soon as prepared.

Very respectfully, your obedient servant,

H. A. HERBERT,
Secretary.

The SECRETARY OF STATE.

[Inclosure.]

251.] U. S. S. MOHICAN (THIRD RATE),
Navy Yard, Mare Island, Cal., October 27, 1894.

SIR: In compliance with the Department's instructions, dated September 25, 1894, and received after this ship reached San Francisco, I have the honor to submit the following report upon the movements of the seal herd in its progress toward Bering Sea, and upon seal life in general:

A chart, constructed by Ensign S. S. Robinson, U. S. N., showing the number and locality of seals seen by the vessels of the fleet, with date appearing in each case, is transmitted by this mail. The information embodied was obtained from the reports of commanding officers and from notes kept by Ensign W. E. Safford, U. S. N.

It is of course understood that while our ships were cruising in or near the track of the seal herd, or when patrolling Bering Sea, they steamed at a good rate of speed, and that the vibrations of the propeller would alarm the seals and cause them to dive, or swim rapidly away before the vessel neared them. It was noticed that when the engines were stopped a great number would appear upon the surface of the water, and though the *Mohican* boarded or spoke the sealing schooner *Triumph* five times during the period in which she took upon an average over 100 seals a day, we saw but very few on any of these occasions.

With regard to the habits of the fur seal at sea, the observations made, generally serve to confirm the reports already published by naturalists and others who have made seal life a study. Those seen from our cruisers were, when first seen, diving, i. e., throwing themselves out of the water and then plunging in head first, or were motionless, evidently watching the ship as it drew near. Whether these last mentioned had been sleeping, or were swimming in some direction, crossing the course of the ship, could only be surmised, but from the statements of the masters of sealing vessels it was learned that they were often found asleep; that they can then be approached so closely by a boat or canoe that there is little or no difficulty in striking them with a spear, and that they have been caught and thrown alive into a boat by the hand. It is said that seals are so much exhausted by a long spell of bad weather, being buffeted continually by the waves, that they can easily be captured while asleep, after the sea has gone down enough to allow boats to be lowered.

The approximate dates upon which the seals arrived at the passes and the rookeries this year was later than usual. The season was very backward, heavy field ice being encountered to the eastward of the Pribilofs as late as the 28th of June, and when the bulls first appeared at the islands it was found necessary to cut places in the ice for them to "haul up." A number of young males reached the rookeries early in June, and during that month our cruisers found seals straggling, singly or in groups, all the way from the "Fairweather Grounds," northwest of Sitka, to the Pribilof Islands, but only once was a group large enough to indicate the presence of the herd seen near the passes, and that was on the 16th of June, at the southern entrance of Isanotski Straits.

Referring to the subjects mentioned under the fourth head in the Department's letter, observations on the rookeries, numbers of seals, etc., the agents of the Treasury Department and of the North American Commercial Company at the Islands having represented that the seals were disturbed when visitors went near the rookeries, observations that would furnish any information of value could not well be made. Upon one occasion I was taken with several officers to points where we could overlook the rookeries, and though we approached with caution and scarcely showed ourselves above the rocks two stampedes occurred. But the great reduction that had been made in the size of the herd could be seen at once. Rookeries or portions of rookeries that had once been thickly covered were now abandoned, and those still resorted to had groups of seals scattered here and there over slopes where they were once said to have crowded in masses. It seemed incredible that this herd had ever been able to furnish 100,000 males a year, and it was difficult to believe that more than that number now existed. It may be that the taking away of so many males annually has had an injurious effect upon vitality and natural increase, and that the life of the Pribilof herd has already been sapped, but if its numbers to-day reach half a million five years more of sealing under the conditions imposed by the award will, I believe, suffice for its destruction, or will at least reduce it to a remnant not worth considering.

Upward of 30,000 seals were captured this year in Bering Sea after the 31st of July, and of these nearly 25,000 were females. A careful estimate made early in September showed that 9,300 pups had already died of starvation on the rookeries, and that about an equal number would later perish in the same miserable manner, half of them being females. About 33,000 were lost, and the reproductive power of the herd has been lowered from 10 to 20 per cent. The success that has attended sealing this year, and the knowledge that has been obtained of methods that can be followed and of grounds that may be resorted to advantageously, will probably double the number of vessels engaged and increase the catch proportionately. The loss, as before, will fall where it is most to be dreaded, i. e., upon the females. While the disparity in the number of each sex taken has been determined, the reasons for it are not known. In my opinion, the male seals who are not able to fight their way on the rookeries (called bachelors at the islands) retire as far as they are compelled to by the bulls in possession, and no farther, while the females who have young to suckle leave when impregnated for the feeding grounds, which seem, most unfortunately, to be well outside of the prohibited zone. It was of course not foreseen when the award was signed by the Tribunal of Arbitration that a slaughter so destructive to the life of the herd could be carried on under its provisions, or that one of its results would be of so cruel a nature that anything approaching a parallel to it would not be tolerated in a stock-raising community. It is here proper to remark that a starving seal pup will live nearly six weeks. While sealing was only permitted outside of Bering Sea the catch may have been as great, or even greater, but it was more equally divided between the sexes, and if a pup was lost when a female was killed, then it had not yet been born. If the pelagic sealer is to secure all the profits to be made during the few years that he requires to exterminate the herd, it would seem to be more in the interests of humanity, as well as sound policy, to anticipate his action.

An inspection of the chart will show where the greater number of seals were seen. If they did not know already, the sealers soon discovered that the locality most favorable to their work was that inclosed between the prohibited zone, the fifty-fourth parallel of latitude and lines drawn from the island of St. George through the Akutan and Amukta passes. Seals were numerous to the northward and westward of the prohibited zone, but the weather thereabouts was so stormy this year that boats could rarely be lowered.

It was reported about the middle of September that the bulls were beginning to leave the rookeries. I have been informed that the departure of the females, with whom the period of gestation is said to end in June, July, and August, and who feed their young seven or eight weeks, depends upon the temperature of the water, and that the young males leave later in the fall, a few, as well as a number of pups, remaining until the ice begins to form around the islands.

Very respectfully,

C. E. CLARK,
Commander, United States Navy.

The SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.

U. S. REVENUE-CUTTER SERVICE, STEAMER BEAR,
Port of San Francisco, Cal., November 15, 1894.

SIR: I have the honor to submit the following report of the movements of the revenue cutter *Bear*, under my command since September 26, 1894.

Having taken on board a supply of coal and fresh water we left Unalaska September 28 for the Seal Islands, and on the morning of October 1, in accordance with Treasury Department instructions of July 28, 1894, landed Lieut. C. M. White and a boat's crew of five men, armed and equipped for guard duty on St. Paul Island.

Both islands were visited and the mail delivered, but no vessels were seen.

We returned to Unalaska October 3, and made fast alongside the North American Commercial Company's wharf in Dutch Harbor. The time between this date and October 26 was spent in cleaning boiler and overhauling and repairing machinery. A new blade was put on the propeller to replace one broken in the ice off Point Barrow, and the forward end of our propeller shaft had to be triced up and spare bearings fitted in place.

The weather during the whole month was very severe. Gale followed gale in rapid succession and there was much snow and hail and rain.

On October 3 the American schooner *George R. White*, of La Conner, Wash., came in. She was under a Bering Sea license, and had taken 130 skins. This vessel sailed for home the first opportunity the weather offered, and was the only sealer seen or heard of during the fall.

The steam whaler *Balaeria*, of San Francisco, Norwood master, arrived October 17, with a damaged rudder. She was homeward bound from a voyage of three seasons in the Arctic and had a total catch of 68 whales. She sailed October 20.

The mail steamer *Dora* arrived from the eastward October 25, and the next morning, being coaled and ready for sea, we sailed for the Pribilof Islands and anchored off East Landing October 28. The weather being favorable we picked up Lieutenant White and party and steamed over to St. George Island. On the afternoon of the 29th succeeded in taking the officer and guard off through the surf at the North Rookery. We then kept away for Unalaska, where we arrived October 30.

On the morning of November 1, we steamed out through Unalga Pass, and after thirteen days' passage arrived here yesterday forenoon. On the trip down we encountered a succession of easterly gales and a great deal of fog and rain.

Since September 27 the vessel has cruised, in all, 3,223 miles, of which 1,075 were made in Bering Sea, and 2,148 between the pass and San Francisco.

Very respectfully,

M. A. HEALY,
Captain, United States Revenue-Cutter Service, Commanding.

The SECRETARY OF THE NAVY,
Washington, D. C.

(Copy to State Department, November 27, 1894.)

NAVY DEPARTMENT, BUREAU OF NAVIGATION,
Washington, December 11, 1894.

SIR: Referring to your letter of the 16th of August last, to the commanding officer of the United States naval force in Bering Sea, in which you state that you had been informed by a Mr. Beasley that certain British Columbian Indians have been granted permission from the governor of Alaska, to hunt anywhere in the Territory of which he is the executive, I have to invite your attention to the inclosed correspondence with the Department of State upon this subject, and to request that you will furnish the Department with any further information in regard to this matter that may be in your posession.

Very respectfully,

F. M. RAMSAY,
Chief of Bureau.

Commander E. LONGNECKER, U. S. N.,
815 North Second street, Harrisburg, Pa.

[Inclosure.]

DEPARTMENT OF STATE,
Washington December 8, 1894.

SIR: Referring to your letter of the 3d of October last, relative to the charge that the governor of Alaska had granted permission to certain Indians of British Columbia to hunt anywhere in the territory of which he is the executive, I have the honor to transmit herewith for your information a copy of a letter of the 5th instant, from the Acting Secretary of the Interior, inclosing a copy of a letter from the governor of Alaska denying the truth of the charge in question.

I have the honor to be, sir, your obedient servant,

W. Q. GRESHAM.

The SECRETARY OF THE NAVY.

[Inclosure.]

DEPARTMENT OF THE INTERIOR,
Washington December 5, 1894.

SIR: Referring to your letter of the 6th of October, 1894, inviting attention to an extract from a report made by the commanding officer of the U. S. S. *Ranger* to the commanding officer of the Bering Sea fleet, charging that certain British Columbia Indians have been granted permission by the governor of Alaska to hunt anywhere in the territory of which he is executive, I have the honor to transmit herewith copy of a letter from the governor of Alaska, to whom the matter was referred for report, in which he states that at no time since he has been governor of the District of Alaska, has any Indian or Indians belonging to British Columbia applied for or received permit from him to hunt in Alaska.

Very respectfully,

WM. H. SIMS,
Acting Secretary.

The SECRETARY OF STATE.

[Inclosure.]

DISTRICT OF ALASKA, EXECUTIVE OFFICE,
Sitka, Alaska, November 10, 1894.

SIR: I have the honor to acknowledge the receipt of your communication of October 9, 1894, inclosing report of Commander E. Longnecker, commander of U. S. S. *Ranger*, United States Navy, and letters of reference.

And in reply allow me to state that at no time since I came into possession of this office has any Indian or Indians belonging to British Columbia applied for or received permit from the governor to hunt in Alaska.

In June last a number of Indians from New Metlahkatla came here and stated that they were going up the coast to hunt for fur seal, and wished to be informed as to the law and regulations governing that business. I gave them the desired information and they departed. The same Indians returned to this place in August last and reported to me that no fur seal had been caught by them, but that fourteen sea otter were taken, and the skins were now in their possession. By accident one of these Indians was killed and his body was being transported to Metlahkatla for interment. Being desirous of reaching home quickly they had taken passage on the steamship *Queen* at Juneau. I loaned them $220 to pay their fare and freight on four canoes from Juneau to New Metlahkatla.

Rev. William Duncan sent to me his check for the amount by the return boat, showing that these Indians belong to Alaska, as Mr. Duncan would not be paying the debts of his enemies over in British Columbia.

Captain Yank, an old seafaring man, owns a steam schooner with which he has been supplying the Indians to the westward with rum for several years. The officials in Alaska have no means of pursuing or capturing smugglers of whisky or other illicit craft.

The U. S. S. *Pinta*, which has been lying in Sitka Harbor for a number of years, is not seaworthy and dare not go out into the open sea.

Very respectfully,

JAMES SHEAKLEY,
Governor of Alaska.

The SECRETARY OF THE INTERIOR,
Washington, D. C.

HARRISBURG, PA., *December 26, 1894.*

SIR: Referring to the Department's letter dated December 11, 1894, requesting further information regarding the statement of Mr. Beasley to me that the governor of Alaska had granted permission to certain British Columbian Indians to hunt anywhere in the territory of which he is the executive, I have the honor to state that I am not in possession of any further information than that given by Mr. Beasley.

Very respectfully,

E. LONGNECKER,
Commander, United States Navy.

The CHIEF OF BUREAU OF NAVIGATION,
Navy Department, Washington, D. C.

NAVY DEPARTMENT,
Washington, D. C., January 5, 1895.

SIR: Replying to your letter of the 27th ultimo, I have the honor to inform you that the expenditures of this Department incident to the presence of a United States naval force in Bering Sea during the past season were $158,188.25. This amount does not include the pay of the officers or men, or the amounts expended for the purchase of rations for the enlisted men of the various ships, which expenses would have been incurred by the Government no matter upon what service the vessels were detailed.

Very respectfully,

H. A. HERBERT,
Secretary.

The SECRETARY OF THE TREASURY.

TREASURY DEPARTMENT,
January 19, 1895.

SIR: I have the honor to transmit herewith for your information a copy of the regulations governing vessels employed in fur-seal fishing during the season of 1895.

Respectfully, yours,
C. S. HAMLIN,
Acting Secretary.

The SECRETARY OF THE NAVY.

[Inclosure.]

REGULATIONS GOVERNING VESSELS EMPLOYED IN FUR-SEAL FISHING DURING THE SEASON OF 1895.

ARTICLE I. Every vessel employed in fur-seal fishing shall have, in addition to the papers now required by law, a special license for fur-seal fishing.

ARTICLE II. Before the issuance of the special license required by the fourth article of the award the master of any sailing vessel proposing to engage in the fur-seal fishery shall produce satisfactory evidence to the officer to whom application is made that the hunters employed by him are competent to use with sufficient skill the weapons by means of which this fishing may be carried on.

ARTICLE III. Every sealing vessel provided with special license shall show, under her national ensign, a flag not less than 4 feet square, composed of two pieces, yellow and black, joined from the right-hand upper corner of the fly to the left-hand lower corner of the luff, the part above and to the left to be black and the part to the right and below to be yellow.

ARTICLE IV. In order to protect from unnecessary interference sealing vessels within the area of the award during the close season (that is to say, between April 30 and August 1), but which have not violated the law, any sealing vessel lawfully traversing or intending to traverse the area of the award during the close season on her way to her home port, or any other port, or to or from the sealing grounds, or for any other legitimate purpose, may, on the application of the master, have her sealing outfit secured under seal, and an entry thereof made on her clearance and log book, and such sealing up and entry shall be a protection to the vessel against interference or detention during the close season by any cruiser, so long as the seals so affixed shall remain unbroken unless there shall be evidence of any violation of the fishery articles of the award, notwithstanding.

ARTICLE V. Such sealing up and entry may be effected in port or at sea by any naval, consular, or customs officer of the nation to which the vessel belongs.

It may also be effected in the case of British sealing vessels at the island of Attu, by any naval or customs officer of the United States in the absence of any British naval or consular officer. It may also be effected at sea as regards British vessels by the commander of a United States cruiser, and as regards United States vessels by the commander of a British cruiser. If the master shall so desire, the officer effecting the sealing up and entry shall deliver to him a certificate of the number of seals and seal skins on board at that date, keeping a copy of the same.

ARTICLE VI. And whereas by the sixth fishery article of the award, the use of nets, firearms, and explosives, is forbidden in the fur-seal fishery, but that restriction does not apply to shotguns, when such fishing takes place outside of Bering Sea, during the season when it may be lawfully carried on. Any sealing vessel having shotguns and ammunition on board may, before entering Bering Sea, on the application of the master, have the same secured under seal and an entry thereof made on her clearance or log book; and such sealing up and entry may be effected in the same manner, and shall afford the same protection against improper seizure or detention in Bering Sea during the season when the fishery may lawfully be carried on there, as the securing of sealing outfits under the last preceding regulation.

ARTICLE VII. Any vessel of the United States may obtain special license for fur-seal fishing upon application to the chief officer of the customs in any port of the United States or to the United States consular office of any port in Japan, and complying with the requirements of these regulations.

ARTICLE VIII. The foregoing regulations are intended to apply only to the season of 1895.

Approved, January 18, 1895.

GROVER CLEVELAND.

NAVY DEPARTMENT,
Washington D. C., January 28, 1895.

SIR: I have the honor to acknowledge the receipt of your letter of the 19th instant, transmitting a copy of the regulations governing vessels employed in fur-seal fishing during the season of 1895.

Referring to Article III of these regulations, I have to invite your attention to the fact that no provision is made by which vessels having a special license to hunt fur seals can be distinguished at night.

Very respectfully,

H. A. HERBERT,
Secretary.

The SECRETARY OF THE TREASURY.

TREASURY DEPARTMENT,
February 2, 1895.

SIR: In reply to your letter of the 28th ultimo, regarding the regulations governing vessels employed in fur-seal fishing during the season of 1895, I have the honor to state that the attention of the Secretary has been called to the omission noted by you.

Respectfully, yours,

C. S. HAMLIN,
Acting Secretary.

The SECRETARY OF THE NAVY.

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(Alaska) S. 8800